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TENNESSEE'S EXAMPLE spreads. A New York professor suggests that other universities boycott Tennessee's. Why, he asks with a semblance of reason, should honest institutions of learning accept the credentials of young men who come from schools in a State which confesses itself hostile to the unrestricted pursuit of truth? Tennessee graduates, he thinks, will be only half-educated. We suspect that the professor is about 100 per cent wrong. If the Tennessee monkey law stands, Tennessee college graduates for the next few years are likely to know more about evolution than college boys and girls in any other State in the Union. There is a charm to bootlegged produce, even when it is mere knowledge. Tennessee cannot regulate the United States mails, and while such books are barred Tennessee youths will work overtime to buy them. The publishers report a boom for books on science, even in the mountains of Tennessee, and the longer the ban endures the more thirst for knowledge will it rouse in Tennessee. There is, of course, a larger issue at stake. The New York professor is on the verge of making his own science a compulsory religion; he sounds perilously like a fundamentalist who would not receive students who did not accept the literal interpretation of Genesis. If the Tennessee boys and girls can pass their college-entrance examinations in algebra and English the universities in other sections need not inquire into the laws of their State.

BALLYHOO AND BRAVERY march arm in arm in Dayton. One wishes that the metropolitan reporters could find some local farmer-philosopher, some Will Rogers, who could tell them intelligibly what Dayton really thinks of it all. The young writers from the big cities are so cosmopolitan in their outlook, so whole-heartedly with Scopes and against Bryan, that they give us scant interpretation of the local mind. They laugh at the rustics; they do not understand them. Yet they are not all weather-beaten cynics, these hardened reporters; when the news reached the reporters' room that the young Methodist pastor had been forced out of his church for daring to invite a liberal to preach for him, the reporters—who knew that Howard Byrd supported his wife and three children on $800 a year—reached down into their city trousers pockets and took up a substantial collection. Then they went off to their typewriters and sentimentalized over the carpenter-preacher of Dayton. As a matter of fact, Mr. Byrd will probably find a better pulpit as a result of his act; but he did not know that when he made his choice. Judge Godsey, the local defense attorney who backed out at the last moment, was made of softer steel. One would like to read an interview with Judge Godsey on Howard Byrd's act. And one would like to have a psychologist with a reporter's pen explain the power of Bryan over these hill-folk.

THE ANTHRACITE OPERATORS and the representatives of the miners seem to have dug in for a pleasant summer at Atlantic City. Housed in equally stupendous style at safely distant hotels, they can issue statements and hold occasional conferences as long as the swimming is good and the patience of the newspaper reporters holds out. Both sides are sparring for position; neither side hopes to convince or terrify the other. The operators are concerned to prove to the public that acceptance of the miners' demands will mean a higher price for anthracite coal next winter. The union officials point to extravagant differences between the cost of mining a ton of coal and the price paid for it, in an effort to prove that a 10 per cent wage increase could be absorbed without passing a cent of it on to the public. The operators have no real hope of reducing wages—an honest, whole-hearted walkout would meet any such attempt. The union probably has no idea that it can raise them. But both sides hold out for the moment when an alarmed public will force them to a compromise that might as well be made tomorrow. A serious strike is not expected. By the almost equally expensive expedient of a summer at Atlantic City this particular labor struggle will be settled after the manner of diplomats and politicians.

EDGAR BERNARD BRUSSARD of Utah, a protege of Senator Reed Smoot, is President Coolidge's selection to succeed William S. Culbertson on the United States Tariff Commission. He is a Mormon, and may be expected to manifest a sympathetic interest in the fortunes of the Utah-Idaho [beet] Sugar Company, which earned 21.9 per cent last year on its common stock and 104 per cent on its preferred. The Utah-Idaho company is owned by the

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Mormon church, and Reed Smoot is a large stockholder. Dr. Brussard is no stranger to the tariff offices in Washington. He was "planted" there as the sugar investigation neared its close, and Chairman Marvin with Commissioner Burgess sought to have him supersede Dr. Joshua Bernhardt, chief statistician in charge of sugar figures. This maneuver was blocked by Vice-Chairman Culbertson (whom Mr. Coolidge has now shunted to Rumania), Commissioner Lewis (whom Mr. Coolidge has now supplanted), and Commissioner Costigan, who survives. The President knows just where his new appointee will stand on extortionate tariff schedules. Congress should know. It is fair to expect that Congress will inquire into Dr. Brussard's record before the Senate confirms the appointment.

WHEN A MAN within the ranks suggests changes it is more difficult for other members of his profession to dismiss the proposals as conceived in ignorance. Hence we hope what Frederick E. Crane of the New York Court of Appeals said recently in regard to juries will receive wide discussion and lead eventually to the much-needed reform that he suggests. Speaking before the Otsego County Bar Association, Judge Crane remarked that apparently we had "become indifferent to shootings and killings"; in New York City murders were increasing and convictions for murder decreasing. This he attributed in part to the fact that the most intelligent members of the community sought exemption from jury service and that the law granted blanket exemptions to certain classes like clergymen, newspapermen, lawyers, and teachers. There is no sound reason for the blanket exemption from jury service of men in any given kind of work and, as Judge Crane says, when it comes to a vacation the reasons alleged for not doing jury duty disappear. A judge should have the power, as he has, to exempt any individual for a sufficiently urgent reason, but there should be no other escape. Nor should right-minded citizens want one.

ANOTHER JURIST, Robert W. Winston, formerly judge of the Superior Court of North Carolina, writes in *Scribner's Magazine* for June on the illegality and injustice of the American bench in dealing with contempt of court, a matter to which *The Nation* has lately been calling attention. Judge Winston confines his criticism to what is called "constructive contempt"—that is, contempt committed not in the presence of the court but outside, in the form, say, of a public speech or a newspaper editorial taking issue with the judge. Justice Holmes of the federal Supreme Court has said that our courts are a hundred years behind the times—that no English judge would imprison a person for "constructive contempt" without a legal trial. The federal courts have entered into many sophistries in order to declare laws unconstitutional because they denied the "due process of law" guaranteed by the Constitution, but what could be more glaringly violative of "due process of law" than for a judge, acting not according to statute but what he calls "inherent right," to dispense with grand and petit jury and railroad a man to jail on the findings of his own spleen and prejudice? Judge Winston thinks the recent decision of the Supreme Court on the Clayton act will about do away with prosecution for "constructive contempt." We are less hopeful. The decision will lessen the evil of injunctions in labor disputes, but it does not cover all of "constructive contempt"—nor affect it at all outside of the federal courts.

AS WE WRITE our glance falls on a special dispatch to the New York *Times* which illustrates in a typical way the tyranny of American courts in dealing with this judge-created offense of "constructive contempt."

> LAKEWOOD, N. J., July 8.—A charge of contempt of court against former State Senator Harry P. Hagaman, postmaster and editor of the Lakewood *Citizen*, a weekly newspaper, and his son, C. L. Hagaman, assistant editor, was dismissed by Judge Henry G. Newman in the Court of Common Pleas at Toms River today after the elder Hagaman had apologized to the court.
>
> The writ was issued by Judge Newman yesterday following the appearance of an article in the *Citizen* in which the judge was severely criticized for his action in extending leniency to Frank Falkenberg of Point Pleasant, who was convicted of violating the Volstead act.

We do not know what the editor wrote about the judge in question and we do not care. We do know that, whatever the criticism, the judge was entitled to no relief other than what any other individual would have had if criticized—that is, through the indictment of the editor under the laws of libel or slander and a legal trial before a jury. The idea that criticism of a judge impedes the process of justice—which is the stock defense of summary punishment for contempt—is a palpable absurdity. Only the ignorant or tyrannical judge needs such protection—and obviously he should not have it.

BERLIN'S STOCK EXCHANGE struck the other day in protest against the Government's plans for revaluation of the old government bonds. These bonds became virtually worthless in paper marks, and speculators who purchased them at their bottom prices would make enormous profits if the Government recognized their holdings as on a par with those bought when the mark stood at or near par. The revaluation program provides a 5 per cent value for bonds bought before 1920; 2½ per cent for those bought later. Socialists claim that it is a fraud to pay anything for this latter class. But the stock exchange disagreed, and thought to assert its power by striking. If the Government surrenders it will be pusillanimous indeed. But whether it does or not the incident, following the appeal of the bankrupt Stinnes brothers to the banks, is a striking indication of the return of the banks to power in Germany.

BEFORE THE WAR the great banks dominated Germany both politically and industrially. During the war and in the after-war inflation period the great industrialists lorded it, even over the big Berlin banks. There was no power in all Germany to equal Hugo Stinnes. He dictated legislation; he determined foreign policy; he told the banks what to do. That was in a period of scarcity of raw materials and of depreciating currency. Stinnes owned the basic commodities—coal and iron. He built up an enormous "vertical trust"—controlling all the processes from mining to the finished products, including steamship lines to carry his goods and newspapers to help dictate policies. Like Henry Ford in America he was independent of the bankers, but even Ford never wielded such power in this country as Stinnes on the Rhine. He looked out beyond the frontiers, and rapidly invested his depreciating marks in new enterprises. Whatever he touched seemed to turn to gold. Then, just as the Dawes Plan went into effect and the mark was stabilized, the old man died. Perhaps he would have seen the need for concentration

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and retrenchment. His sons did not. They went on expanding, investing millions in film and automobile factories. But a new era had come. Raw materials were a glut on the market. Stinnes's sons could not dictate prices; they could not control their expenditures. In June they appealed to the Reichsbank for help, and the truth leaked out; they were $50,000,000 short. A syndicate of big banks was formed to help them out. One brother was dropped from the firm; the other was retained, to prune the vast business. The banks assumed control—Germany is back to normalcy.

UNDER THE TUTELAGE of her Minister of Justice, South Africa is making race discrimination a part of her legal system. This is the same Minister of Justice who asserted some time ago that punishment should be determined by the position and race of the offender; he now demands that the color of a man's skin should debar him forever from economic advancement. The so-called Color-Bar Bill provides that in the Transvaal and Orange Free State "certificates of competency shall not be granted to natives or Asiatics," while rules shall "generally apportion work as between natives and Asiatics and other persons respectively in respect of mines, works, or machinery." The *Cape Times* has protested that the bill is in opposition to the liberal traditions of South African jurisprudence and furthermore is in direct contradiction to a decision of the Transvaal Supreme Court in November, 1923, which stated:

> The regulation which provided that in the Transvaal and Orange Free State only white men could become persons competent to be in charge of machinery, boilers, and engines was *ultra vires* of the governing act of parliament, the Mines and Works Act of 1911.

This pernicious bill was defeated in the South African Senate after passing its third reading in the House. Undoubtedly it will be introduced again next year, as it is part of a definite segregation program. White labor in South Africa is committed to it, and the Nationalists have followed Tielman Roos in supporting it. Liberals who had been disappointed in General Smuts's recent record in South Africa are glad to find him vigorously combating a measure which the whole world would regret.

LIBRARIANS ARE CONFRONTED with a tremendous problem in making available to readers the vast new flood of information that is gushing from the daily, weekly, and monthly press. It is true, as John Cotton Dana, of the Newark (New Jersey) Public Library, said at the convention of the American Library Association in Seattle, that this flood is the real educational agency of the age, and whether it be for good or for evil should be recognized as such. The old idea of a library, thinks Mr. Dana, was culture—the new idea is information. Yet when librarians get together

> They do not discuss the newspaper as a social influence, and, of course, do not discuss the thousands of other daily, weekly, and monthly journals which supplement the daily's instruction work. They are playing by that tiny rivulet of modern print that bound books supply, and ignore meanwhile the vast and growing and incredibly potent flood that pours forth in all that other print of the daily press and its associates. . . .
>
> Consider the Scopes trial in Tennessee. By the press presentation of that trial and of matters connected therewith our newspapers will teach the "man in the street"—meaning here a full majority of our 115,000,000—more about evolution than he has learned concerning it in the whole seventy years since Darwin wrote his "Descent of Man."

The greatest unsolved problem of the modern library is to make available the information appearing in the periodical press, together with that issued in pamphlet or documentary form from official and unofficial sources. There is not a library in the country which has yet developed a technique adequate to the task.

THE RECENT ARREST in Berlin of one Druzhelovsky, who dealt extensively in news forgeries setting forth horrendous Soviet plots, will perhaps stay for a time the stream of picturesque Russian yarns that has flowed intermittently into the American press from the German capital. Druzhelovsky, it appears, kept on hand a generous private stock of stationery of both the Third International and the Soviet Government, which he filled out according to the caprices of a fertile imagination, tempered by the law of supply and demand. Among the fabrications found in his files, according to the *Berliner Tageblatt*, was a document on stationery of the Third International giving instructions for blowing up the Sofia cathedral, and another tending to implicate Soviet officials in the railway disaster in the Danzig corridor—in which several employees of the Soviet Government were killed or injured! Among his synthetic news stories was a variant of the nationalization of women, to the effect that the Soviet Government had established a system of three-year trial marriages. Another front-page fabrication told of 750,000 children starving in southern Russia, including 200,000 in Odessa. The fact that the total population of Odessa is only 300,000 apparently did not give pause to any of the news editors who accepted his inventions. When Druzhelovsky was arrested he was attempting to sell to Americans in the diplomatic service, for a trifle of $150, a concoction on stationery of the Third International setting forth a delightful bolshevik plot against peace and order in the United States. The price is interesting. Apparently the cost of documentary Red horrors for the diversion of the countrymen of Barnum and Bryan has fallen since the palmy days of the Sisson documents.

OFFICIAL AMBASSADORS do not always serve the cause of international good-will and are sometimes debarred by their position from expressing good-will when they have it. The Philippine Islands as a dependency can receive no ambassadors or ministers plenipotentiary. The United States is represented—or misrepresented—there in the person of Leonard Wood. Fortunately there are other groups with the enthusiasm and energy to send their own representatives. The American branch of the Fellowship of Reconciliation has sent its "Ambassador of Friendship," Reverend Clarence A. Neff, a native of Ohio, who is teaching in Foochow, China. The fellowship, realizing that the continued retention of the Philippine Islands as a virtual colony by the United States must foster suspicion and hostility upon the part of the Filipinos, has sought thus to express the latent good-will of Americans and to assure the Filipinos that there are in this country men and women who want them to have not only political freedom but that larger freedom which comes from a liberated life. Thus, while Bryan battles for literalism in the hills of Tennessee, another group of Christians expresses its religion in action.

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What Are We Doing in China?

PRESIDENT COOLIDGE and Secretary Kellogg have turned their faces forward, but they seem to be a little afraid of the light. Their demand that the Powers carry out the program of relief for China which Secretary Hughes and his associates elaborated with such infinite pains at the Washington Conference three and a half years ago is in a splendid American tradition. But why all the mystery and secrecy? Why the hesitation? Let them recall the burst of applause with which the world greeted Mr. Hughes's public statement at the opening of that conference; and the doubt and pessimism which followed when the conference was submerged in secret committees.

The prestige of America in the East, sorely tried in recent years, is at stake. We have a long tradition of effective friendship for China, and on the whole we maintained the spirit of that tradition at the Washington Conference. That conference fell short of its goal, but it did propose real aid to China. The Great Powers would not give up their cumbersome control over China's customs tariff; but they did agree to raise the duties which she is permitted to levy. That would have given her sore-tried central Government a new support and prestige. The conference over, the Powers shilly-shallied. The treaties have only just been ratified. The tariff remains unchanged. The Powers agreed, too, to study the situation in China, with a view to taking steps toward the removal of extraterritoriality. They have done nothing about it. They made a fine-sounding statement of principles, but they have continued the policy of business as usual. China is today almost where she was when the Washington Conference was convened. Shantung has been evacuated, but the Japanese are still in Manchuria. China's coastline is dotted with foreign leaseholds and settlements, policed by foreign troops; foreign gunboats, including American, range far up the Yangtze River; foreigners claim extraterritorial rights and refuse to accept Chinese jurisdiction; the foreign Powers still dictate to China a tariff rate which keeps her central Government weak—and yet demand that her Government protect their citizens wherever they may go and whatever they may do.

In this miserable situation British troops fired on demonstrating students at Shanghai, and fired again, shooting the students in the back, killing eleven. On details the testimony differs; the details do not matter. The British refused an impartial committee of investigation. China was swept with nationalist, anti-foreign feeling. What business had the foreigners there with their police in a Chinese city? And as the feeling grew it included America. The students were protesting against Japanese mistreatment of Chinese strikers; British troops shot them down; but American marines were sent to clear the students out of their school buildings, and American gunboats appeared to police the port.

China has reason to be uncertain of America today. Americans themselves do not know what their Government is doing. Our papers have not reported, as Dr. Ward tells us in his article in this issue of *The Nation*, that American warships predominate at Shanghai, or that American marines—more or less under British command—are quartered in buildings from which the students have been ousted. Nor are Americans sure what their Government is saying in its negotiations with other Powers.

The press announced, obviously inspired by the State Department, that we were inviting the Powers to meet to discuss the abolition of extraterritoriality. The British press growled royally, and the British Foreign Office intimated that China must apologize, must protect foreigners, must do this and that before any relief would be given it. And now our State Department inspires new statements. It has not issued invitations for a conference—only "instituted inquiries." Now, apparently, it wishes us to believe that it has persuaded England to accept an impartial inquiry; but what about the meetings agreed upon at Washington? We publish in this week's International Relations Section the more immediately significant of the Washington treaties and resolutions; the reader can judge how far they go. They call for prompt customs relief—which has not yet been given, and the inspired dispatches suggest that the revision cannot begin for several months to come. They call for a conference to consider the status of extraterritoriality—and on that modest step, apparently, our Government is not insisting.

Soviet Russia renounced her special privileges in China five years ago—and accordingly won a prestige in China which no other Power can equal until it adopts an equally generous policy. German and Austrian citizens lost their special rights by act of the Allies. Their citizens have continued business in China, accepting Chinese jurisdiction and competing as equals. Americans can do the same. It would go a long way to restore American prestige in the Orient if our Government would announce its intention to forego all special privileges for its citizens, and recall the marines now serving special privilege in Shanghai.

Preserved Fish

THERE are two ways to preserve fish. One is to preserve them dead through the aid of salt or in a tin can. The other is to preserve them alive by restricting their catch and stopping the pollution of their feeding-grounds.

Deep-water fish, like cod, herring, and mackerel, which live out in international waters beyond our rum rows, are still fairly plentiful, but those of our coasts and our interstate rivers—including many of the most delicious sorts—are close to extinction. As Secretary Hoover says:

> The sturgeon fisheries of the Great Lakes have declined 98 per cent in forty years. They are almost gone on our coasts. . . . Seventy-five years ago 22,000,000 shad were taken in the Potomac River alone. Today 800 fishermen operating 500 nets take with difficulty 600,000 fish per annum in this river, the best of the remaining rivers for shad. We now supply "Potomac shad" to the market by hauling them 3,000 miles from California on ice. . . . Crabs, lobsters, oysters, and clams are on the same road to destruction. As late as 1915 our crab fisheries in the Chesapeake and Delaware waters yielded over 50,000,000 pounds. They yield less than one-half of that today. The oyster fisheries of the Chesapeake have decreased by 50 per cent in as short a period as twenty years. Our lobster catch is less than one-third that of thirty years ago.

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The story of the shad is typical of our treatment of coastal fish. It is like the apple which New York City residents pay farmers on the Pacific Coast to grow for them (plus an enormous bill for freight and advertising designed to convince them of its superiority) when equally good fruit can be raised just outside the metropolitan limits. In an address in Washington last spring Mr. Hoover said:

> Thirty years ago the annual take of shad in the States from Georgia to New York was over 50,000,000 pounds per annum. Being an obliging fish, they did their best for economical fishing by coming up to the fisherman's net regularly every year, and they sold for a few cents each.
>
> But from overfishing the catch has steadily decreased, until during the past few years it has averaged less than 13,000,000 pounds per annum. This is a decrease of 75 per cent. They sell for about $1.75 per fish. At one time 25,000 people found profitable employment catching them. They have now ceased to be an industry in many places altogether. . . .
>
> Now here comes the sardonic humor. The Federal Bureau of Fisheries transplants young shad into California, where there was never a shad before. Under the careful protection of the California Fish Commission, they thrived until this year California will ship about 2,000,000 pounds on ice 3,000 miles into the Atlantic seaboard States, where they are solemnly sold as the great and rare delicacy of the Atlantic waters.

Within recent years the American people have come to realize the extent of the destruction of their forests and the vast economic loss implied; they have taken some promising steps both to preserve existing trees and to start new ones. The destruction of our coastal and inland fisheries also represents a great economic waste, but unfortunately little can be done through action by any one State alone. Two things, chiefly, are called for. One is restriction of fishing. The other is a campaign against pollution of water. Both call for combined federal and State action, for fish are no respecters of State boundaries.

Unlike trees, fish grow quickly and it is easy to restock any depleted waters provided one first insures conditions which make it possible for the new-born specimens to live. The greatest hindrance to this is water pollution. For a good many years our larger rivers have been growing less and less livable places for fish on account of sewage and factory waste. Recently our coastal waters, too, have been made almost uninhabitable for marine life on account of oil. Oil has, in fact, become the greatest menace to fish. The increase of oil-burning and oil-carrying vessels, with their noxious discharges, has raised a most difficult question. Not only fish but the users of our bathing beaches are complaining, while the spread of the motor boat is endangering even our most secluded inland lakes. Congress recently passed a law forbidding the dumping of oil residuum by vessels within the three-mile limit, but it is only a beginning toward purification and it is not certain so far that the enforcement of the act has led to substantial improvement. There is need for further federal action against water pollution, backed by stringent interstate regulations.

Mr. Hoover rightly points out that the powers of the federal government in connection with the preservation of the fish of our coasts are slight; nor does he wish to see them enlarged. He bases his hope on interstate agreements ratified by Congress, and is endeavoring to bring these into existence. We wish him all success in this excellent and practical work—and our friends the fish join with us.

Houses Without Profiteering

HOUSES can be built in the city of New York, even at present prices for land, labor, and material, to rent for $9 monthly a room and still give a fair return on the capital invested. This has been demonstrated by the Metropolitan Life Insurance Company in the face of the assertion by speculative builders that it is impossible to supply new construction for less than two or three times the rent asked by the insurance company.

The experiment of the Metropolitan was undertaken at the suggestion of the Lockwood committee as an effort toward relieving the shortage of housing at moderate rentals in New York City. The company says in describing its experiment that after obtaining bids that made it fairly certain that 8 per cent could be made on the investment it began the building of fifty-four apartments in the borough of Queens.

> The buildings were all completed in May, 1924, and all were rented faster than they could be completed. The space provided homes for 2,125 families, and many thousands of families who desired to rent could not be accommodated.
>
> The company is now able to report the financial result of the operation of the properties for one year, viz.: from July 1, 1924, to June 30, 1925. The total cost to the company of land and buildings, including builders' costs and fees, architects' fees, taxes during construction, in fact, every expenditure of money made by the company, was $7,363,168.84.
>
> The rent collected for the twelve months from July 1, 1924, to June 30, 1925, was $1,040,196.06.
>
> The expense of operation for the twelve months, including every expenditure made for and on the property, was $359,014.64.

This left a net profit for the twelve months of $681,181.42, a return on the investment of 9¼ per cent, or 1¼ per cent more than the company had decided would be satisfactory when it was planning the experiment. The Metropolitan has the advantage of the special tax-exemption law of the State, and will thus benefit until the expiration of the act in 1931, but the report says that even without this it would still have earned a net profit of 7¾ per cent. Real-estate firms usually allow something to cover vacancies in apartments and losses on collections of rent. The Metropolitan made no such allowance, believing the desirability of its houses was so great that it could practically ignore losses from such sources. Experience has amply demonstrated the soundness of this estimate, as losses on those counts amounted to only $406.54 for the first year's operation by the insurance company.

Baths are included in the apartments of the Metropolitan, but are not charged for as rooms in the rentals. Heat, hot water, and janitor service are also supplied.

All in all, the experiment seems to knock the props from under the assertions of speculative builders and real-estate men that housing cannot be furnished in New York City for less than $20 to $30 a room. Obviously commercial building is suffering from wasteful methods or extortionate profits—probably both—but there is little hope of a reform of its methods in consequence of the demonstration of the Metropolitan. What is to be hoped for is that cooperative societies and other non-profit organizations will see in the experiment a reason for new and more extensive activities.

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The Meaning of Shanghai

By HARRY F. WARD

Shanghai, June 17

THE Shanghai shootings which have aroused all China were typical of the governmental technique of force and the stupidity of officialdom. Underneath, however, they had a more terrible significance—in the race difference between the governing body and the governed. The severity of the action, and its defense, root alike in the feeling of race superiority, in the fear of what may happen if the other race gets out of hand, and in the twin fear of loss of prestige and moral self-support if the ruling race admits any wrongdoing. Such incidents destroy the comfortable illusion that foreign control in China rests only upon benefits conferred. The brutal fact that the main foundation is force stands out stark and clear.

The disturbances in Shanghai were the final result of a series of strikes in Japanese cotton mills, in the course of which a Chinese worker was killed by a Japanese foreman. Students held a mass meeting in Chinese territory to protest against the brutal treatment of workers. After the meeting a few came into the International Settlement carrying banners and were arrested. They were held incomunicado for a week; they were not given sufficient food or bedding or allowed to see their friends. On May 30 they were remanded for another week, not being able to provide bail. Groups of students came unarmed to the main business street of the Settlement on Saturday afternoon, May 30, when it was crowded with people on a half-holiday, to make speeches of protest. Attempting to drive back the crowd, British Sikh policemen fired 44 shots, killing 11 students and workers.

In India Amritsar dramatized the worse aspects of British control and drove the Nationalist movement into the consciousness of the common people. In like manner, Shanghai will do in China in a few months what would have taken years of nationalist agitation. It is a commonplace that the great need of China is national unity. Here government is still personal and provincial, and political life is a bewildering mess of factionalisms with a maze of intrigues not altogether understood even by those engaged in them. The one common element was supplied by Sun Yat-sen shortly before his death, when with his genius for propaganda he coined the phrase "unequal treaties," referring to those agreements in which China concedes to other nations privileges never granted between equals. His last will and testament urged their abrogation as the immediate task of all who loved China. He believed that this was the essential prerequisite to the development of stable government. This phrase crystallizes the sense of injustice and inferiority and releases the hope for equality of status essential to development. It furnishes a focal point for all factions and for all religions. They may differ vitally as to how it is to be done, but practically all Chinese who know what it means will tell you vigorously that the unequal treaties must go. Now comes a dramatic incident to teach the coolies and the farmers what concessions and extraterritoriality and the mixed courts mean, or at least to show them why they must be changed.

This agitation against the "unequal treaties" and the fuel supplied for it by the attitude of the local authorities and their governments toward the Shanghai incident creates just the incentive for that patriotism which lovers of China, native and foreign, have been calling for. Whether it will become a constructive force for internal affairs or a mere emotional spree to escape from the bewildering task of developing sound self-government depends mostly upon the attitude of foreign powers. They are not confronting an ignorant, superstitious anti-foreign movement as in other days. The intellectuals and the authorities are doing their best to prevent any such development, and so far with success. The present movement is not against foreigners but against foreign injustice. It is rational, based on concrete, historic facts. It can be dealt with only on that ground.

Henceforth the student movement of China is a force to be reckoned with in international as well as in national affairs. Naturally the intrusion of students into political and industrial affairs is resented by most foreigners and some older Chinese. When young Yang Yu-hwa tried to tell the mixed court at Shanghai why he had made speeches in protest against the killing of a Chinese workman Assessor Jacobs, the American member, lectured him severely, saying: "Here is a group of young students going out making speeches on industrial problems which have been puzzling the best minds of the world for 700 or 800 years. Has it ever occurred to you to invite the older Chinese who have had more experience than yourselves rather than try and settle it in the way you have started?" Yang answered: "I know that it is a hard question, but we must go out and awaken our countrymen," and Jacobs replied: "I would like to leave these thoughts with each of you students that you should consult with the Chinese Chamber of Commerce and with men of more mature years in the future."

The student uprising means that the absolute control of ignorant, cheap labor by industrialists, foreign and native, is ended sooner than it would have been by the unaided development of labor organization. Hence it is not surprising that the local authorities took advantage of the occasion to raid and close three Chinese universities, regarded as centers of "bolshevik" propaganda. American marines were billeted in each of these educational institutions, and the *China Press* reported with horror that search of the buildings "yielded a considerable quantity of bolshevik and strike propaganda, including circulars supporting the strike and making special appeals to employees of public-utilities works, pennants with drawings of bleeding hearts, and tracts from the writings of Marx and Darwin [*sic*]."

It is the most ignorant folly to dismiss this student activity as vicious pranks of schoolboys who ought to be thrashed and kept in their place, which is the prevailing

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attitude of the foreign community. Student strikes have several times played an important part in Chinese affairs; a few years ago the students secured the resignation of three cabinet officers whom they accused of selling their country to Japan. Now this ancient technique, reinforced by Western education, is bringing into action the New China, much of which was created in mission schools and colleges and is not understood at all by modern industrialists or old-school diplomats.

Before May 30 the Student Union in Shanghai, as elsewhere, existed in only a few institutions and was the creation of the radicals. Its members were mostly members of the Kuomintang (Sun Yat-sen) Party, which is seeking to capture the colleges and schools. (This party has a Communist left wing, but its practical program for China is pale pink. Its methods of propaganda and organization are quite obviously borrowed from Russia to a considerable extent, particularly its technique of trying to unite students, workers, and soldiers.) Today every college and school in Shanghai is in the union. Shortly after the strike began the officers were changed and a more responsible element came into control. The constructive section of student life is now organized, active, conscious of national needs, and getting in touch with industrial workers.

There is among the students a large emotional element, which is the easy victim of seductive catchwords it does not understand. In their initial propaganda the students have played with the fires of ignorant race prejudice, as have our "America for Americans" crowd and our Nordic-cult professors, all of them thereby endangering the peace of the world in their ignorance. But the student leaders here saw their error, manfully acknowledged it, and set out to allay the passions they had aroused.

It is clear that the underlying difficulty is the attitude of a certain section of the white people. The only use they have for Chinese is to make money out of them, and while they are doing it they curse them with contempt, and cuff and kick them when they dare. One of their spokesmen offers the opinion that there are slave races in the world and that the Chinese is one of them, and unfortunately this attitude is too liberally represented in the English-speaking press out here. The day after the shooting in Shanghai the Chinese press was restrained in its editorial comment. Then came some editorials in the English press taking the position that the superior race could do no wrong, laying all the blame on the Chinese with strong language, and at once the attitude of the Chinese press changed. The official position of the local authorities has reflected this assumption of the infallibility and impeccability of the superior white race and has wounded and alienated the best of the Chinese leaders. In time of trouble it is the "keep-the-beggars-in-their-place" crowd who become vociferous and get into action. The more intelligent and human of the foreign community are cowed by the demand for solidarity and the fear of a serious native outbreak.

When this group exerts itself and seeks an adjustment it creates another psychological barrier. The Anglo-Saxon in his really righteous moods and moments is moved by the majesty of law and order. The Chinese cannot understand this impersonal attitude nor this worship of what is to him an abstraction. His desire is for equity more than for law. His ethics lead him to a give-and-take method in each particular situation to meet the human necessities. This difficulty can be surmounted by those who really seek to understand one another and have a common regard for justice and freedom, provided the atmosphere be not contaminated by the assumption of race superiority and the desire to maintain what is erroneously regarded as race prestige. But can the white man possibly stay in the East on the basis of special privilege due to a superior race?

Many Chinese and some Americans are asking what is to be the effect of the Shanghai affair upon our historic friendship. They wonder why we should have the preponderance of the naval forces on the spot and why our marines should be stationed where they will most attract public attention. The municipal council responsible for this incident is composed of six British, two Americans, and one Japanese. An American is chairman and your Chinese house servant is sure this is no accident, for China is concentrating against the British with all the memories of a long series of aggressions. Japan, whose industrialists were the initial occasion of the outbreak, slips quietly into the background and plays for the future. Russia is presented free of charge with the equivalent of tons of propaganda. Americans demand justice in the shape of an impartial investigation with adequate Chinese representation. American missionary eyewitnesses to the shooting testify that in their opinion it was unnecessary, and excited Britons write to the papers, Why are the Americans letting us down? Other Britons beg their compatriots to maintain a sporting attitude, assuring them that we always do our part, and typical 100 percenters join the chorus by uttering typical vituperations against their fellow-citizens who have dared to suggest that the white man could possibly have done wrong, including a lady who asks, Could an American have found a better, more efficient answer for the mob? Meanwhile do our people at home know whether we are being used to safeguard British interests in the Yangtze Valley or whether we are intelligently cooperating with British policy, and if so why? If there is a joint policy, the question is whether it involves an attempt to hold on to the special privileges gained in the "unequal treaties" which carry to China the stigma of inferiority.

Before he left Peking ex-Minister Schurman hinted that the time had come gradually to relinquish the special privileges obtained in the "unequal treaties." The Soviet Ambassador retorted that the only way to handle the matter was to give them up wholesale as Russia had done. The dominant voices of the American commercial and financial community in Shanghai replied to Mr. Schurman as though he were the ally of Mr. Karakhan. Yet the only third choice is the resort to force. This is an unthinkable policy for the United States. If it were blundered into it could not possibly succeed.

It is time for Americans in China and out of China to recognize that the "unequal treaties" have to go. The only question is the manner and the time. To say first stable government, or first abrogation, is for both sides an equal fallacy. The two hang together and can only proceed coordinately. This joint result can be accomplished by an announcement of intention to relinquish and the arrangement of a method to determine procedure. To delay is to imperil the possibility of a constructive solution. An international inquiry into the shootings in Shanghai and the measures necessary to prevent recurrence is the immediate step. The next opportunity is the autumn conference on customs which could be broadened to cover the larger issue of the "unequal treaties."

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Tennessee's Dilemma

By JOSEPH WOOD KRUTCH

Dayton, July 12

THOSE who say that nothing of importance can be decided at Dayton have, at first glance, reason on their side. Even in Rhea County tadpoles will still lose their tails whatever may happen to Mr. Scopes, and, it is to be hoped, the human organism will continue in a similarly unperturbed fashion its evolution toward whatever state Nature has in mind for it. It is now perfectly evident that the question of the constitutionality of the Tennessee law, the only tangible legal issue involved, will not be the chief one discussed, and it might thus appear that the whole discussion threatens to become diffusely inconclusive.

No sooner had Clarence Darrow begun his cross-examination of prospective jurors than it became clear that he proposed to prove that the teaching of the defendant was not irreconcilable with a sufficiently liberal interpretation of the Bible, and hence was not a violation of the law, which specifically forbids only those theories which deny the account in Genesis. The theoretical position of the Bible as final authority upon scientific questions will thus not be questioned, and the right of the State legislature to control the teaching of professors will be left similarly unchallenged.

But the real problem raised is not legal but sociological. No verdict of the jury and no injunction of the Supreme Court can change the fact that the trial is a symptom of the vast gulf which lies between two halves of our population, and that the real question to be settled is the question of how this gulf may be bridged. In the centers of population men have gone on assuming certain bodies of knowledge and certain points of view without realizing that they were living in a different world from that inhabited by a considerable portion of their fellow-citizens, and they have been unconscious of the danger which threatened them at the inevitable moment when the two worlds should come in conflict. In Tennessee the moment has arrived and a single battle will no more settle it than the World War settled the questions from which it arose.

Of the reality of the danger there can be no question. The zeal of the fundamentalists has been enormously quickened by an anticipatory taste of triumph, and they will push any victory they may gain to the fullest possible extent. Already one State legislator has announced his intention of "putting teeth" in the present law by making the penalty for its violation a prison sentence instead of a fine, and various extensions of the principle of State interference with teaching may be confidently predicted. Members of the D. A. R. will, sooner or later, seek to forbid in the schools any historical facts which tend to reflect upon the character or motives of Revolutionary heroes; conservative economists and sociologists will certainly follow their lead; and, unless the movement is definitely checked, the next twenty-five years will see the State schools and universities so shackled with legislation as to make them utterly worthless as institutions for education. The control of learning will pass into the hands of the uneducated, and youth will leave the schools more ignorant than when it entered them.

Doubtless Tennessee is in a condition not much worse than that of the majority of the States in the Union. Her folly consists chiefly in the fact that she has allowed the situation to get out of hand by her cowardly refusal to deal with it as it arose. Neither she nor any other State has been able adequately to educate her citizens—and for that fact she is not to blame, since the task is beyond her financial or other strength. But when people cannot be educated they must be led, and it is in leadership that Tennessee has failed.

Left undisturbed, the rural population would have bothered itself very little over the teachings of the school or the college, since it has that respect for learning natural to all uneducated communities. A few years ago, however, it became evident that it would not be thus undisturbed, for various propagandists of the Bryan school came among it to declaim against what one of the agitators now in Dayton picturesquely calls "Hell in the high schools." Dayton was made aware of a question at issue, it looked for leaders, and it found them on one side alone. Fundamentalists were eager and zealous; educators were at best timid and non-committal, at worst hypocritically evasive. Under the circumstances, Dayton cannot be blamed if she chose to follow those who knew what they stood for.

Even at that very late moment when the anti-evolution bill was introduced into the legislature a little courage might have saved the day. Had the president of the State University gone with his faculty to Nashville, had the editors of the daily papers said what they thought, and had, in general, the enlightened members of the community shown one-half the decision manifest by the other side they might very well have won. Instead they lay low. They declined the challenge; they refused to make any effort to lead; they left their opponents in undisputed possession of the field. Dayton was reasonable to conclude, as undoubtedly it has concluded, that nine-tenths of Tennessee, the only world it knows, is with it and Bryan. It does not even know that the university which it respects is against it, and it is following a sound instinct. It is right to have no great confidence in scientists and educators who ask for nothing except its money. If the time ever comes when they show a disposition to tell what they believe it may possibly listen to them.

In the courtroom at Dayton and in the newspaper reports of the proceedings there Tennessee will be reminded of the situation into which she has drifted, and the ultimate result of the trial will depend upon whether or not she heeds the reminder. Neither John R. Neal, the only native prominently represented upon the defense, nor Messrs. Darrow, Hays, and Malone, his associates, can do much for her if she will do nothing for herself. They may win their case or they may lose it, but an ignorant population, almost wholly without leaders, will remain.

[*Other articles by Mr. Krutch will follow, analyzing the background of this amazing trial in his native State.*]

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What Lies Beyond Dayton

By ROLLIN LYNDE HARTT

THE Fundamentalist Party, engaged just now at Dayton in defending an ancient Chaldean creation myth which was copied into the first chapter of Genesis twenty-three hundred years ago, is by far the most interesting factor in American politics.

It does not call itself a party or believe itself to be one. It is not commonly recognized as such. Its leaders neither hold nor seek public office, and it took a rare humorist to picture Mr. Bryan as hoping to be elected to the Presidency on the Fundamentalist ticket. Nominally and to outward appearance, the Fundamentalist Party is a religious organization and that alone. In effect, however, it is much more. Without troubling to name candidates for office, it aims to control the men who are already in office by coercing legislatures and ultimately Congress and thus securing what all political parties strive to secure—namely, laws embodying its own convictions. According to Mr. Bryan the Fundamentalist Party will not be satisfied with writing a defense of the twenty-three-hundred-year-old Chaldean creation myth into the criminal code of State after State; it must be written into the federal Constitution itself.

Journalists laugh. But they are the same journalists who laughed when these same people, not satisfied with capturing State after State for prohibition, began to talk of an Eighteenth Amendment.

But evolution is only superficially the issue at Dayton. At bottom, the issue is a vastly older and vastly more important question—the question as to whether the separation of church and state shall be maintained. To be sure, there is no mention of this at Dayton. The fundamentalists are not saying, even among themselves: "There should be a Protestant state church in America," nor are they saying, even among themselves: "Theocracy is the ideal system of government." No more are they saying, even among themselves: "Fundamentalism attempts to establish a protectorate over the United States of America. Just as a Khedive is retained in Egypt, or a Sultan in Morocco, or a Maharajah in India, so the present rulers will be retained in America; only, the Fundamentalist Party will rule those rulers." No such monstrous ambitions are consciously entertained by fundamentalists, but the significance of fundamentalism lies, not in what it is consciously but in what it is unconsciously. Unconsciously, it puts the church above the state.

That it should fail to recognize that it is doing so is not remarkable. Less than a third of its clergymen have ever attended any college. Many of them are graduates of such establishments as the Moody Bible Institute, "entrance requirement a common-school education or its equivalent." The majority received their training in seminaries which Dr. Robert Lincoln Kelley, special investigator for the Institute of Social and Religious Research, describes as "scarcely qualifying as educational institutions." Great numbers of them preach "the literal, bodily, visible, imminent return of Jesus Christ to this earth as king." That, for example, is the belief of Mr. Bryan's distinguished colleague, the Rev. J. Frank Norris, who has repeatedly appeared before State legislatures in defense of "monkey bills." It is likewise the belief of the Rev. W. A. (Billy) Sunday, who, next to Mr. Bryan, is probably the fundamentalist swaying the greatest number of American minds.

Among the fundamentalist rank and file, profundity of intellect is not too prevalent, nor is the understanding of politics in the larger sense of the word. From that rank and file comes the membership of the Ku Klux Klan. But an understanding of politics in the narrow sense of the word is not lacking by any means. Under Mr. Bryan's shrewd guidance the movement thrives, and the fundamentalists have learned much by experience. As the Prohibition Party, seeking to put their leaders into office, they failed. As the Anti-Saloon League, coercing the men already in office, they succeeded. The lesson is not forgotten, and the technique acquired in learning it remains an invaluable asset. Just as the Anti-Saloon League bullied legislative bodies by claiming "an overwhelming majority of the American people," so the fundamentalists claim that only a handful of atheists want "Darwinism" taught in our public schools.

Politicians are not fooled into imagining that Mr. Bryan is backed by "an overwhelming majority of the American people. All told, the fundamentalists number hardly more than twenty-five million. Something like 70 per cent of them are women, and women have not extensively availed themselves of their right to vote. But politicians know that on one issue appearing to involve a defense of Christianity, so called, against atheism, so called, the threat to "get out the woman vote" may well be taken seriously.

Under a republic such as the framers of the Constitution supposed that they were founding, twenty-five million fundamentalists would not be a particularly grave menace. Representatives, chosen for their wisdom and good conscience, were to legislate in accordance with their wisdom and good conscience, ignoring "the mob." But, though the capital is still at Washington, remote from great centers of population, and though an electoral college still goes through the ancient ceremony of choosing the President, lest "mob" influence should prevail, we long ago abandoned the republican form of government. The mob rules. Of this or that obnoxious bill, a Congressman or Senator will say frankly: "I don't believe in any such measure, but I shall vote for it because I learn that my constituents desire me to." For this he is not only unrebuked, he is applauded.

No one foresaw that America would change from a republic to a democracy. Today, it seems ridiculous to hint that America may in course of time change from a democracy to a theocracy. But only a short while ago it would have seemed as ridiculous to predict that a former Secretary of State, holding honorary degrees from several institutions of learning, would one day be defending a twenty-three-hundred-year-old Chaldean creation myth, and, in so doing, advocate the principles of theocratic despotism.

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Nothing about America is more curious than its choice of fears. With the utmost ease any impostor can convince America that Jews are about to control us, though there are hardly three million Jews in the entire country. It is a simple matter, likewise, to convince America that the Catholic church hopes sometime to control us, though Catholics believe in the separation of church and state, and though we have in all only 18,000,000 Catholics in the country. Yet, despite the fundamentalists' much greater numerical strength, despite their success in forcing Congress and the legislatures to adopt national prohibition, despite their already more or less successful demand for the religious control of public education, and despite what is now going on at Dayton, it is with difficulty that any American can awaken in himself a very lively fear when he inquires where all this is going to end. We clearly perceive and resent the apparently isolated onslaughts of fundamentalism upon our liberties, but do not recognize as clearly or as resentfully its underlying policy. We combat it, not in its essential character, but in its manifestation. We have an Association against the Prohibition Amendment to fight fundamentalism's control in matters of personal habit. We have a Science League in America to fight its "monkey bills." But we have as yet failed to combat its underlying policy by founding a League to Maintain the Separation of Church and State.

Through methods purely educational, such a league might do quite a little toward Christianizing the fundamentalists. Gently, and with suitably adroit diplomacy, it could remind them that Jesus of Nazareth, to whose precepts and example they now attach but slight importance, never prosecuted his fellow-men for seeking enjoyments different from his own, and never sought to obtain from the Roman government the power to do so. He conceived of religion as a persuasive, not as a coercive, force. He believed in the separation of church and state.

Out Where Bureaucracy Begins

By HARVEY FERGUSSON

TRADITIONALLY the West is the home of individualism and self-reliance, fostered by the frontier. Actually, a large part of the West today lives under a modified form of socialism. It is more dependent upon government agencies and more completely dominated by them than any other part of the United States. Wherever you go in the great open spaces you meet a government bureau. These bureaus not only rule large parts of the West but they also nourish it. And they nourish it with money drawn by federal taxation from the East.

The conflict between the States which pay more in federal taxes than they get in federal appropriations and those that get more in appropriations than they pay in taxes has been abundantly expounded. This, undoubtedly, is the new alignment in American political life. The gist of it is contained in the statement that New York gets less than 1 per cent as much from the federal government as it pays in taxes, while Nevada gets more than 200 per cent. These are the extremes. But most of the Western States and some of the Southern States are making money out of Washington in the same way that Nevada does, while the rest of the States are losing money to Washington in the same way that New York does.

I do not propose to say anything further on the statistical and theoretical aspects of this matter. I want merely to record a few observations made in the State of New Mexico which seem to me to throw new light on it.

In the first place, it should be noted that the State government of New Mexico is perhaps the most impotent and ridiculous product of the democratic theory now visible. Until the past few years New Mexico has been dominated by a political machine which is probably the oldest in America. It was functioning there before New Mexico became a part of the United States. It was founded upon complete control of the peon class of Mexicans by the landowning aristocracy and by the church. The peons were in effect owned by the landholders, to whom they were always and deeply in debt. The landholders were dominated by the church. When New Mexico became a part of the United States there were some superficial changes, but no fundamental ones. The power of the church declined and a good deal of the land passed into the hands of the Yankees, but most of the native people remained serfs in effect. They formed the strength of the Republican machine, which controlled their votes as completely as the Negro vote is controlled in some other States. Republican bosses vote the sheep-herders in droves, and it is a long-standing joke in New Mexico to say that when there are not enough sheep-herders to turn the election they also vote the sheep.

The result of this condition is a State government almost incredibly corrupt and inefficient. Peculation in office has long been the usual thing. Nepotism has there reached its finest flower. One native political boss was found to have placed twenty-one members of his ancient and numerous family on the State pay roll.

This government barely succeeds in discharging the minimal administrative functions.

In the past few years the power of the Republican machine has been challenged by a typical reform politician from another State, named Carl Magee. He has built up an opposition machine depending for its strength on the immigrants from Texas and Missouri who have poured into the eastern half of the State to take up homesteads. This new Democratic machine has now elected a governor, but it still has to capture the legislature and to demonstrate that it is capable of working a real improvement.

The next important fact is that a large part of the area of New Mexico, like that of most other States in the Rocky Mountain region, is comprised within national forests. This fact is important because the Forest Service was one of the first considerable intrusions of the federal bureaucratic government into the West. It was at first resented and opposed, but has gradually become both an accepted and a necessary thing. It has accustomed the people of the Rocky Mountain region to deal with and to depend upon the federal government.

The Easterner is apt to think of the Forest Service as engaged solely in the protection of standing timber. As a matter of fact, it not only guards the timber but also sells it and strictly supervises the cutting of it. It also

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controls the grazing of live stock within forest areas. These areas comprise the chief summer range for the whole region. They are divided into parts for cattle and other parts for sheep. All the ranchmen hold permits from the federal government, for which they pay so much per head of stock. The number of animals they may put on the range, where they may put them—their entire business, in fact—is under federal control. Moreover, homesteads on national forests may be taken up along valleys where there is no timber and these holdings are administered by the Forest Service. Again, the Forest Service officers are instructed to assist local officers, and they do this by usurping whole functions of local government. Nearly all enforcement of the game laws on national forests, for example, is done by the forest rangers, and it is done with commendable vigilance. Campers are closely watched by the rangers, compelled to put out their fires and generally to obey all laws and regulations. The Forest Service also does most of the constructive work on the national forests. It builds roads and trails, conserves water supply, and sets up telephone lines. The real ruler within a national forest is the Forest Supervisor. His power is felt by everyone within it, and the power of the State government, if it can be said to have any, is felt scarcely at all.

The power and beneficence of the Forest Service extend more and more beyond the boundaries of the forests. For example, the town of Albuquerque, New Mexico's chief center of business, is ten miles from a range of mountains called the Sandia, which is a part of the Manzano national forest. The Sandia is a bold and beautiful ridge rising five thousand feet above the surrounding country. The Forest Service has built at great expense a road which runs over the top of this mountain, from one end to the other, affording the motorist striking views and easy access to a delightful summer playground. Connecting with other roads from the town, it makes a "scenic drive" in a circle, which is widely advertised by the town as an attraction for tourists and health-seekers. Thus the whole town is indirectly benefited. What is more, shrewd citizens have purchased bits of land along this road, which were privately owned before the land became national forest. They are selling these as sites for summer homes at a profit, and are planning a resort hotel. Thus the Forest Service puts money into the pockets of Albuquerqueans and their love for it grows rapidly and inevitably.

The Forest Service is by no means the only government bureau to which the citizens of this community look for help which they can get nowhere else. The town is located in the Rio Grande valley. The valley is extremely flat and the river constantly fills its bed with silt in such a way that the river is in some places higher than other land in the valley. As a result this town, in one of the driest regions on earth, is threatened with destruction by flood. Some twenty years ago it came near being wiped out. This fact is given no publicity but it causes the citizens a great deal of concern. Moreover, the rising water-table within the valley is impairing its value for agriculture, as it rots away the roots of plants in low places and causes the valley to be less than half cultivated.

This condition, which is steadily growing worse, can be corrected only by throwing a dam across the river some miles above the town and so impounding the flood waters. The town will then be safe, the valley can be drained, and a steady supply of water for irrigation can be insured. The State government is incapable of doing this work alone and private enterprise is not likely ever to undertake it. The one hope of getting it done lies in the federal Reclamation Service, and the people of Albuquerque are keenly aware of this fact. Bills have been introduced in Congress providing for the necessary help. None has so far passed, but one appropriation has been made by which federal aid will be extended in draining the valley provided the local landowners form an association. The astute Yankee landowners are now busily trying to persuade the apathetic Mexicans of the necessity for this association. The government, in all probability, will do the whole job in course of time.

Besides the national forests a large part of the area of New Mexico is under some measure of federal control by reason of being public domain. This land is subject to entry by citizens under the homestead laws, but a large part of it is too arid for any use except as range for cattle and sheep. Being open to all it is constantly overgrazed. When the rains are good it will support several times as much stock as it will in dry years. Hence, during every drought cattle and sheep die by thousands and the withering range is so close-bitten and trampled that it is permanently injured. Obviously, what is needed is some form of organized control over the use of this range, such as the Forest Service provides on the national forests. Here, again, the federal government is the only hope. Several bills have been introduced in Congress providing for a scientific study of such range lands and a federal administration of them. One of these measures will probably pass. The federal rangers and supervisors will then become the real power in the deserts and hills as they already are in the mountains.

I went out on the range with a large sheep-owner last summer, and after he had explained this situation to me he began to talk about the problem of protecting his herds from wild animals. This, it appeared, had been solved for him by the United States government.

"A government hunter went over my range this spring and spread poison," he said. "I do not think I lost a single lamb to the coyotes. He must have gotten all of them." He went on to say that often 2 or 3 per cent of the lamb crop was taken by coyotes, while losses of 10 per cent were not unknown. The government hunter to whom he referred was an employee of the United States Biological Survey, which is now engaged in all of the Western States in the extermination of predatory animals. It employs hundreds of expert trappers and markets annually a large collection of furs.

This work is an especially good example of the way in which bureaucratic government grows in the West. The Bureau of the Biological Survey, a part of the Department of Agriculture, was created to make a study of the American fauna and to prepare treatises thereon. Under any rational interpretation of the constitution it could not be more than an investigative organization. But in the West life is still a struggle with the wild animals to an extent little realized in the East. Recently the Chamber of Commerce of Deming, New Mexico, called a meeting to discuss the jack-rabbit problem. A plague of jack-rabbits was devouring the crops and literally threatening the town with bankruptcy. Prairie dogs make farming difficult in large areas by tunneling the ground and eating the roots of the crops. Not only coyotes but wolves, mountain lions,

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and bears are a serious menace to the live-stock industry. Even wild geese and sage-hens have in parts of the West put man on the defensive in recent years.

The Biological Survey saw here an opportunity for a radical extension of its powers. By act of Congress it grew at a bound from a mere agency of scientific investigation to one actively engaged in altering the balance of nature. Certainly, poisoning coyotes is no part of the function of federal government as conceived by the founding fathers. But the coyotes must be poisoned and the Biological Survey seems to be the only agency in New Mexico sufficiently superior to the coyote in brains and persistence to cope with him. The State struggled futilely with the problem for years by offering bounties for coyote scalps. Scalps were abundantly faked and bounties often went unpaid, while the coyotes sat on their haunches and grinned. The Biological Survey has really reduced the coyotes to a harmless remnant in many parts of the State.

The Elephant Butte Dam, built by the Reclamation Service in the southern part of the State, has created in the desert a lake forty-five miles long. It has also created a town and a rich farming section. The farmers of this region, both as landowners and as water users, deal with the federal government.

Taking into account national forests, national monuments, Indian reservations, and reclamation projects, a large part of New Mexico is now under the direct supervision of Washington bureaus. By reason of its work in building roads, exterminating predatory animals, and aiding agriculture, its money and authority are felt in almost all other parts. And the process is now only barely begun.

Moreover—and this is the point which seems often to be overlooked—both its money and its authority are grievously needed. Irrigation, drainage, flood control, administration of the range, and better roads are not things New Mexico can long do without. They are necessary to the progress and even to the survival of whole communities. And here, as in all other relationships, dependence has grown by what it feeds on.

The Southwest is perhaps the part of the United States where constructive effort is most needed and where local agencies are least capable of making it. This creates a glorious opportunity for the Washington bureaucracy, hungry for power and fundamentally responsible to no one. It is not surprising that the representatives sent to Washington by New Mexico and other Western States are no more than dairymaids to milk the treasury cow into the bureaucratic bucket. And the cow already has its head in the well-filled troughs of the Eastern and Northern States.

A comparison between New Mexico and a State like New York is hardly necessary. New York is dependent upon Washington for little except protection in case of war. It regards the federal government, with its prohibition law and its high taxes, as a nuisance—in fact, as an enemy. Theoretically, New Mexico and New York live under local governments of the same kind and bear the same relation to the federal government. Practically, a divergence of vital interest has arisen between them comparable to that which existed between New York and Virginia in 1860.

Making Criminals Out of Soldiers

By FRED L. HOLMES

WAR'S toll did not end with the signing of the armistice, the promulgation of the terms of peace, and the arrangement of cash indemnities. It reached back into the communities to which the soldiers had returned. It turned men recently hailed as heroes into common criminals. Out of its atmosphere came a wave of crime among ex-service men directly traceable to their military experience. Strong men came back with few changes in their characters. Weaker men were broken in moral fiber under the experiences of war.

A scientific demonstration of these ugly facts has been made possible by a study of prison records in Wisconsin.

In the years of post-war wrangling over the payment of a bonus, the individual soldier was generally forgotten; and during those days of neglect something happened. About three years after the armistice the people of Wisconsin awoke to a distressing discovery! The penal institutions were being filled with men who had been in the service, and who were appearing in increasing numbers on the records of applications for executive clemency. Pardon day is a monthly event at the executive office at Madison. Persons who have fulfilled the requirements of the law, by filing certain documents and making the necessary official publication, can appear before the Governor and present evidence why an individual should be released from penal servitude. Lawyers are not needed to present the application. Each case is later subjected to a thorough investigation independently of the evidence offered at the hearing. A decision is then reached on the basis of all the facts.

There was one pardon day in Wisconsin that will not soon be forgotten. Upward of forty cases had been heard by Governor Blaine. It was late when the last plea was presented; it was the case of a soldier.

"The pleas of the soldier boys were ringing in my ears," said the Governor afterward. "I paused for a while to ascertain how many times clemency had been asked in that single day for soldiers. I counted about a dozen cases. As I thought over the evidence presented in the individual cases, I saw that something had occurred in this country. Soldiers had been sent to jails, reformatories, and prisons for seizing food, for engaging in moonshine trade in order to make a living, and for taking property. They were there for many offenses which the war had tolerated. The economic fact of hunger was often present. Neglect was evident in nearly every case. Right then I determined upon a full investigation."

Some days later Dr. W. F. Lorenz, director of the Wisconsin Psychiatric Laboratory, a major during the war, and Dr. W. S. Middleton, a member of the clinical staff of the University of Wisconsin and an overseas veteran, were appointed to make an investigation of all cases of soldiers in prison. It was to be a scientific study to discover what had caused the crime wave among soldiers. The inquiry was started in December, 1922.

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The report, made early in 1923, contained some disturbing facts. About one-fourth of the convicts at the penitentiary and reformatory were soldiers. In all, the investigators examined 225 cases, of which 91 were at the reformatory and 134 at the prison. Many additional cases have since been presented and studied, and in the last two years the problems presented in these cases have been handled by the Governor and the board of control in a way that merits commendation. There are now less than forty soldiers in Wisconsin prisons and they are there because of no influences traceable to the war.

Two facts stood out in the investigation:

1. The crime was traceable to military life in 20 per cent of the cases.

2. At the State prison 62 per cent of the ex-service men and at the reformatory 40 per cent were "mentally abnormal." These men did not belong in prison. They should have been placed in institutions for care and treatment.

The report says:

> At both the State prison and reformatory over 40 per cent of the ex-service men have physical diseases that need medical attention. The criminal offenses of the 225 were concerned with property or money in over 70 per cent of the cases.
>
> The offense committed was regarded as trivial in 60 per cent of the ex-service men at the State prison and in 68 per cent of those at the reformatory.
>
> The physical disabilities among these ex-service men were in 49 instances traceable to military service, in our opinion.

Touching on the subject of the causes of crime against property, the report concludes:

> Different opinions may be held as to the possible influence of military experience and training upon subsequent criminality. We especially feel the need of illustrating the cases that we regard as being influenced in this way. Beforehand, we wish to stress a certain disregard of property rights that we personally observed in the military service, especially overseas. Clothing and equipment was a government issue. It was assigned to an individual but was not regarded by the soldier as individual property. To help himself whenever in need was common practice, particularly overseas, and with active divisions large amounts of property became so-called "salvage dumps."
>
> For a soldier to help himself to necessary equipment from such salvage piles was generally sanctioned. The property right of organizations to equipment was commonly disregarded. A shortage made up by stealing from a nearby organization was done and not infrequently with the knowledge of commanding officers. Property became still more a matter of mere taking as the troops engaged in battle. The influence of such an experience commonly practiced and occasionally sanctioned by those in authority was not conducive to respecting property rights at home. A normal mind, of course, is expected to adjust itself to the widely different situations of war and peace, but the relatively immature mind might easily be influenced by such practices, or the young soldier lacking in good character because of the absence of home influences during childhood, or the memories of such, might be looked upon as receiving a pernicious moral twist by such experiences. Nothing in war is uplifting, at least not for the humbler participants. Those who actually got into battle and witnessed or took part in the dreadfulness of war may later in civil life have committed some overt act which by comparison with compulsory military duty seemed inconsequential.

These statements are made by soldiers. Both men who conducted the investigations were in overseas service. No sooner was this report filed than Governor Blaine became active. He appointed an attorney to prepare all legal papers. With protests from political enemies that he was debasing the "pardoning power" vested in the executive branch of the government, he released on conditional pardons all those soldiers who had been sentenced for trivial offenses.

Following are three typical soldier cases taken from the records with the Governor's reasons for pardon:

1. Convicted before municipal court of Milwaukee, September, 1919, for operating an automobile without owner's consent and sentenced to Wisconsin State Reformatory for four years. Reason for pardon:

> He served throughout the war in the 32nd Division and after his return to this country he and a sailor took a Buick car from the streets of Milwaukee. His mother is blind and entirely dependent upon him. The sentence is excessive and greater good may be done this young man by a conditional pardon, requiring him to support his mother.

2. Convicted before the circuit court of Crawford County, November, 1921, of the crime of violating the State prohibition law and sentenced to three months in county jail. Reason for pardon:

> He was sentenced on a plea of guilty to the county jail of Crawford County for a period of three months on a charge of violating the prohibition law. He was a volunteer in the late war, served with Company D, 23rd Infantry, in the Toul Sector in France, and on September 12, 1918, lost his right arm and sustained severe injuries to his right leg, from which he is now suffering, and in all probability he is unable to perform manual labor. The term of sentence was reasonable, but this man ought to have vocational training in order to save himself and wife and children from future failure. He has a wife and one child and only recently lost his baby.
>
> Paraphrasing what Abraham Lincoln said when he was condemned for granting pardons, I want to say that when I can pluck a thistle and plant a flower when I think a flower will grow, I am going to do it.

3. Convicted before municipal court of Eau Claire, March, 1922, of vagrancy and sentenced to county jail for 90 days. Reason for pardon:

> He served in the 32nd Division about 22 months—13 months in France—and has honorable discharge. He is about 25 years of age. His conduct while in the county jail is good and his pardon is recommended by the district attorney. This boy was stopping at the Y. M. C. A., and begging for food from the dog wagon, and because he was unable to pay for lodging at the Y. M. C. A., and begging, he was charged with vagrancy. He has served 30 days and under the circumstances this is sufficient punishment.

Those who were feeble-minded or abnormal were promptly transferred to institutions for their proper care. Those suffering from shell shock were transferred to the Memorial Hospital, the first State institution of its kind, for care and treatment.

The investigation of the crime wave among soldiers has resulted in general benefits. It definitely ascertained that war has a damaging influence that leads to after-war criminality by persons not criminally inclined, in all likelihood, under peace-time circumstances. It disclosed the evils that follow the neglect of the individual through failure to

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restore him to a remunerative civilian occupation. It pointed out that science and the medical laboratory must become a part of court procedure, if just punishments based on reformation and not "hate" are to be meted out. Moreover, a State plan has been put into effect to ascertain the mental status of all persons committed to Wisconsin prisons. Transfers to hospitals are becoming frequent. Recognition is taken of an age-old fact, that disease leads to crime—a condition often remedied when the source of poisoning has been removed.

In the Driftway

THERE is a veracious tale to the effect that the Chinese Ambassador, having settled down to a test of endurance at a London banquet, was asked by a neighbor if they had after-dinner speeches in China. "Oh, no," he replied; "China has been civilized a long time. We abolished after-dinner speaking a thousand years ago." The good man spoke well, but probably without effect. The Drifter's observations, conducted at long range, convince him that the vice grows instead of fading away. Yet it would seem on the surface to be a reform easily accomplished. The speakers are seldom listened to, and few of them ever desire to be among those present. They are, however, in the grip of custom. That custom requires the appointment of a speakers' committee, and the committee requires speakers in order to make good. Exerting pressure, social or financial, as the case may be, speakers are secured and infinite suffering results.

* * * * *

THE remedy would appear to lie in making use of that most modern vehicle of voice—the radio. With a central plant operating from some specially established station, which might be properly designated as BORE, and riding on long wave-lengths, it might be possible to establish a system of service that would do away with the speakers' table, the chairman, and any necessity for stopping conversation. It would be well to route the dinners, giving an evening to each variety. Monday could accommodate Rotarians, Tuesday church men's clubs, and so on, until the six nights were filled. It would not be necessary to provide radio activity for Sunday. This day the Rev. S. Parkes Cadman swamps the skies.

* * * * *

THE Drifter is moved to the suggestion by the receipt of an interesting circular from a Pennsylvania factory for the manufacture and sale of After-Dinner and Other Speeches. Before receiving this, he had no idea of the magnitude of the industry. The management announces that it sold 3,000,000 speeches in 1924, and confidentially expects to double the output in 1925. The thought is appalling. We hear much of free speech, but the company claims to have sold these productions at prices ranging from 2½ cents to $40 each. Blocks of five can be had for $2, of ten for $3, and twenty for $5. As to their quality: "The Data is Accurate, the English, Clear, Forceful, and Oratorical." What more could be wanted? If a set speech is not desired choice may be had of 300 "snappy" stories, as many "toasts" for all occasions, plus 100 ideas for entertainment committees. Twenty-five short prayers can also be had for 50 cents, to relieve any one embarrassed by the call to "ask a blessing." The longest-felt want filled is "100 ways to introduce a speaker." In an extended experience the Drifter has rarely met with more than one way—the stupidest that could possibly be found. Some one hath said: "From our traducers and our introducers, Good Lord, deliver us"—a most proper prayer. The experienced announcers of the radio organization would do away with this agony, and if static interfere with what follows no one will care. Since the introduction of the hip-flask into social events, auditors become indifferent to entertainment much earlier than formerly.

THE DRIFTER

Correspondence

Einstein's Relativity

TO THE EDITOR OF THE NATION:

SIR: Professor Russell's articles, upon "The A B C of Relativity" should not go unanswered. Because of their title, they are leading so many to be ashamed of not being able to understand a thing so simple as to deserve the name of "A B C" that the fact that they are incomprehensible because they are sheer nonsense should be published.

Dr. Einstein's theory, as also Mr. Russell's exposition of it, is based solely upon the Michelson-Morley experiment, determining the velocity of light when the earth is moving in one direction or the other. This experiment, performed forty years ago, proved, as Mr. Russell states, that "Relatively to an observer on the earth, the velocity of light is the same in all directions." And that is all it does prove.

This fact, for forty years, has been a stickler to physicists, because it reveals the ether as acting differently, in its transmission of energy, from either air or water, in their transmission of radiated sound. This is a serious difficulty. But it is not one-tenth so great a "difficulty" as are all the mental inconsistencies which Dr. Einstein has created in order to explain away this one basic one, inseparable from the Michelson proof.

For instance, Mr. Russell does not hesitate at committing himself to statements such as these:

"Another way of stating the same thing is that the velocity of light is the same relatively to every observer, however he may be moving."

"There is only one way of explaining such facts, and that is to assume that watches and clocks are affected by motion"—by which, he adds, he does not mean that the mechanism of the timepiece is upset, but that *time itself* is affected by motion.

Again: "Nothing can travel faster than light."

Now, these are statements which are in no wise warranted by the Michelson experiment, nor by any accurate use of one's reasoning powers. They are fair samples of the sort of intellectual recklessness which has vitiated every explanation of Einstein's relativity which has yet come to my attention.

A definite physical fact, such as this basic difference of the ether from air or water, in its energetic action, is not "explained" by the addition to the mystery of any wholesale "assumption," such as that time is altered by motion. That assumption merely increases the difficulty and mystery. Nor is that "the only way" to explain it, as Mr. Russell says. The way to explain it is to leave it alone, as has been done with every other discovery of science, until additional data, coming from unexpected sources, make it comprehensible.

Again, to assume that "nothing can travel faster than light" is another gratuitous and unwarranted idea. How do we know that? Just because we have never yet happened to observe anything traveling faster than light is certainly a mighty unscientific basis for the arbitrary introduction of a wholesale assumption to the effect that nothing in the universe does so. To assume, even, that there must be something somewhere which

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travels faster than light would be a far more innocent assumption than to assume that motion affects time.

Finally, the Michelson-Morley experiment formed no such epoch-making innovation, in its demand for some explanation of relativity, as Dr. Einstein's theory assumes. For many a fact of science had voiced that same demand long before Michelson was born.

The unquestioned fact of centrifugal force, for instance, which was exactly defined by Newton just two centuries before the Michelson experiment was undertaken, has never yet been explained, for it demands a whole cosmic phillosophy of relativity to explain it. And behind it, corroborating its insistent interrogation-point, comes a vast array of other indubitable facts in chemistry, thermodynamics, electrics, and social energetics. That is to say, Newton proved mathematically, and our whole science of astronomy has been built corroboratingly upon, the fact that the force mutually attracting two bodies is definable as a certain function of their mass and distance (true gravitation) *minus* a certain function of their motion across the radius connecting their two centers (true centrifugal force). That is to say, if the earth only whirled fast enough, the centrifugal force embodied in each body upon its surface, tending to lift it vertically, would equal—or might easily exceed—its earth-gravitation drawing it downwardly. Thereupon all the bodies upon the earth's surface would fly off into space, upon hyperbolic orbits, a form of orbit which is common in the heavens.

As a matter of fact, the motion of the earth's surface happens to be so slow that the centrifugal force, in this case, is not noticeable—well less than 1 per cent. But a certain patient and skilful Russian professor succeeded in demonstrating its presence by actual measurement. By setting up delicate instruments upon the deck of a Black Sea steamer, he was able to measure the difference in the weight of objects, according to whether the ship were sailing east or west.

That is to say, the speed of the earth's surface being roughly 1,000 miles per hour eastwardly, when the ship sailed east, at the rate of 10 miles per hour, say, the speed of each object on her deck was 1,010 miles an hour across the radius of gravitation. When the ship sailed west, on the other hand, its speed would be 990 miles an hour across that radius. The very slight difference in weight due to this difference in lateral speed the Russian was able to measure.

He proved, of course, nothing except his own skill; for the formulae for computing these differences have been accepted as proved, beyond question, for generations. The incident is merely another among many of those remarkable fulfilled prophecies, whereby a fact is proved by computation first, and then corroborated by observation long afterward. These are the prophecies which identify science as a true revelation.

But the Russian's feat furnishes meat for thought. For, let us ask, how fast must the ship sail westwardly in order to bring the weight of each object on its deck to its maximum?

One thousand miles an hour, you will answer.

But relatively to what point or line are we to measure that velocity?

From an earth-radius fixed sidereally, is the natural reply—that is, fixed relatively to the "fixed" stars.

But there are no fixed stars. Each star is moving with a velocity comparable with, or even much greater than, that of our own sun—some fifteen miles per second. Some of the velocities of these "fixed" stars exceed three hundred miles per second—over one million miles per hour. That's a lovely thing, surely enough, to offer us as a fixed base of reference for exact thought and mathematical computation!

So, what this centuries-old familiar fact of centrifugal force really proves is that the weight of each one of us, upon our feet, is actually determined by something mathematically definable in terms of *something fixed in abstract geometric space*—not in the *matter* pervading the remote heavens, for this radius is no function of mass, but in purely intangible geometric space. In short, this intangible, invisible something of all interstellar geometric space constitutes the fixed basis for all the force-development of the universe. Through this indefinable basis for all force every portion of solid matter in the universe is moving freely, without resistance, yet guided and propelled by vast forces defined by its relativity to this intangible base!

Like the transmission of gravitational force aross space, independently of time, this vast fact has long remained a poser, so far as its explanation in terms of anything terrestrial is concerned. It stands there, the great basic fact of universal relativity, as it has stood, since long, long before the birth of either Michelson or Einstein.

In short, every fact of natural science proclaims to us that all the forces, attributes, and powers of the universe are situate, not within these tangible centers of mass—commonly called "matter"—which we can touch and see. This, man's instinctive way of looking at things, science proves to be wholly in error. Instead, all these forces, attributes, powers, and energies exist and act solely *between* the tangible, visible, ponderable mass-portions of the earth.

This is the true cosmic principle of relativity: That all of the forces, attributes, energies, and powers of the world lie "embodied" (if you will pardon the bull) not in the bodies of the universe but in sheer, abstract *relationships between* those mass-portions—between mass-portions no one of which ever possesses force, attribute, power, or energy in itself alone.

This is the true "A B C of relativity."

The fact itself was discovered when Kepler published his Three Laws of Motion, in 1609, and when Newton published his Three Laws of Force, in 1680. Specific recognition of it, as a cosmic principle, may be found in the author's "Energy," published in 1909, if not elsewhere.

No one had to await the Michelson experiment of forty years ago to furnish meat for talk about relativity. Nor may any one discuss relativity in terms of the Michelson experiment without reference to all this myriad of other scientific facts which display the basic importance of a true science of relativity. Every natural science, from the oldest of them all—astromechanics—down to the newest and most incomplete of them all—social energetics—is crying, and has long been crying, for an exact, competent science of relativity.

But this much needed science of true relativity is not to be attained by any such careless mental gymnastics, balanced perilously upon a single fact as to light-transmission, such as Dr. Einstein and his supporters have brought to the support of his theory.

First of all must come a candid facing of the stubborn fact that not one of our energetic sciences can be stated consistently with itself, let alone with all the others, without an accurate philosophy of relativity—not at all Dr. Einstein's relativity, which befuddles, but a true, clear, easily comprehensible relativity, which explains. Our present method of teaching these sciences, as if based upon something which is absolute because it is tangible—and each science independently of all the others—is grossly misleading. Especially is this true of the science of social energetics, where we are now most deplorably at sea.

But this defect, so widespread in our teaching of natural science, once admitted, the problem would soon be solved. That is why the writer feels that such articles as Mr. Russell's, which befog the entire issue by the most careless and reckless reasoning—yet couched in terms so awful that each person admits promptly his inability to cope with it—demand frank negation. In plain English the Einstein theory of relativity is arrant nonsense—as bodiless a chimera as ever got a great nation on the run, merely because the said great nation lacks that rarest of all ethical powers: *intellectual* courage.

Physical courage is almost universal. Moral courage is common. But intellectual courage, the thing most needed in this day of unprecedented intricacy, is almost totally lacking.

New York, June 13 SYDNEY A. REEVE

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To the Editor of The Nation:

Sir: "There is no difference between the two statements: 'The earth rotates once a day' and 'The heavens revolve around the earth once a day.' The two mean exactly the same thing."—Bertrand Russell, in *The Nation*, June 3, 1925.

Is this true? Possibly in some esoteric, mystical, or Pickwickian sense. But to those of us who have not yet been initiated into the awful mysteries of warped space and warped mathematics—and it is presumably for such that Mr. Russell has condescended to write—the above dictum is pure nonsense.

For, does not every schoolboy know that there are stars in the Milky Way at least 3,000 light years distant from us? Now, if it is true to say that these bodies revolve around our globe once every twenty-four hours, it must be equally true to say that they travel some 18,749 light years in that time, or at the rate of 6,843,385 times the velocity of light. Now, according to the highest authority on Einsteinism, Professor Einstein himself, the greatest of all velocities is that of light. Consequently, if old-fashioned logic still holds, nothing could travel six million times faster. Q. E. D.

But assuming the existence of these impossible velocities, there is still the question of centrifugal force. Imagine, if you can, the tangential momentum produced by such velocities at such distances. Of course, if they existed, the universe would long since have been torn to pieces.

Naturally, Mr. Russell does not for a moment believe in the existence of these tremendous orbits, with each of the millions or billions of the heavenly bodies moving in them completing a revolution in exactly, or almost exactly, twenty-four hours, and why he talks as if he did I cannot imagine. But he does, I take it, really and truly believe there is no such thing as absolute motion. Now, the undersigned is convinced that all motion is both absolute and relative, and challenges Mr. Russell to explain how centrifugal force is possible if all motion is merely relative. There is nothing relative about centrifugal force. Its three elements or factors, viz., rate of curvature of orbit, angular velocity, and mass, of the moving object, are absolutely independent, in any one case, of any other body, its position, mass, or motions, and hence of all other bodies.

It seems to me the relativity theory is completely upset by the fact of centrifugal force. Until that is disposed of, I think I shall stick to my Copernicus and continue to believe that our earth *really* rotates about its axis.

London, England C. L. E.

The McIntosh Chair of Banking

To the Editor of The Nation:

Sir: I am happy to inform you that your comment in the issue of July 8 upon the founding of a chair of banking and finance in Western Reserve University by Henry P. McIntosh is based upon incorrect information.

The information was that McIntosh had stipulated it should be taught that "even-handed justice holds invested capital sacred and honorably and righteously entitled to a fair return based upon amount and risk involved."

As a reporter for the Cleveland *Plain Dealer* I attended the commencement exercises at which the McIntosh gift was announced by President Robert E. Vinson. Dr. Vinson made no mention of any stipulation. Subsequently the publicity secretary of the university handed me a prepared announcement containing the stipulation.

The morning after my story appeared I was called to the office of the university secretary and informed that since the publicity secretary's announcement was prepared conditions of the endowment had been changed. I was shown a copy of the contract between Dr. Vinson and McIntosh in which the stipulation appeared only as "the hope" of McIntosh and the university that it always would be possible to teach that "even-handed justice holds invested capital sacred," etc.

I learned the gift had been made eight months ago and that announcement of it had been withheld, pending, as I inferred, the outcome of Dr. Vinson's effort to have the terms modified.

Cleveland, June 6 Fred Charles

The Garment Workers' Dispute

To the Editor of The Nation:

Sir: May I have an opportunity to comment in your columns on a statement just issued to the press by Morris Sigman, president of the International Ladies' Garment Workers Union, in which he declares his intention to rid our union of Communists?

This announcement comes in the midst of a trial, by the New York Joint Board, of the executive committees of the three largest locals of our organization, 2, 9, and 22. These members were suspended on June 11 by the Joint Board, charged with violating the union's constitution in having had Communist speakers at their May Day meetings; and against Local 22 is lodged the additional charge of lending money to a workers' camp. We asked for an impartial, disinterested trial committee to hear the evidence and determine our guilt, and we suggested Eugene V. Debs, Norman Thomas, Roger N. Baldwin, Frank P. Walsh, and Scott Nearing. But this plea was refused, and we are being judged by a committee of those who preferred the charges against us.

In the English papers the cry of communism is loudly raised, for it gains public sympathy and serves to excuse the use of thugs in taking forcible possession of the headquarters of Locals 2 and 9 and the beating and arresting of workers who are our sympathizers. In our union organ, *Justice*, and in the Jewish press read by a majority of our workers, the Joint Board officials state that this is not a question of communism or any other "ism"; that a worker has a right to belong to any party he pleases; that this whole fight is one for control of our union.

We members of the suspended executive committees have for three years been fighting the Joint Board and the whole political machine which controls our union. Only a small percentage of us are Workers Party members, as President Sigman well knows. But it is we who have consistently opposed raises in dues and the levying of illegal taxes.

We have been demanding an accounting for $2,000,000 expended by the Joint Board. We have protested against the calling of fake strikes and unnecessary stoppages. We have accused the officers of using our money to line the pockets of their henchmen instead of using it to gain better conditions for the workers. Because of our system of representation, which so far we have been powerless to change, our three locals, which have 60 per cent of the members in New York City, have less than 25 per cent voice in the government of the Joint Board. Every one of the thirteen locals in the city has five delegates, whether its membership is fictitious (as in the case of buttonhole makers, which is now an obsolete craft) or consists of 12,000 members, as do both Locals 2 and 22.

On the principle that taxation without representation (or without justification or explanation) is tyranny, these three locals refused a few months ago to pay a levy of $2.50 a member. Secretary Baroff at the last meeting of the General Executive Board stated that "steps must be taken" to force us to obey their rulings; and these "steps" have been the suspension of our executive committees and the secret trial now going on. The cry of "communism" is pure camouflage to hide the real issues. The political machine of the Joint Board and the International fears we have the mass of the workers behind us in our fight against them—and they are right. The rank and file are at last awakening.

New York, June 30 Louis Hyman,
Chairman of the Joint Action Committee, Locals 2, 9, and 22, International Ladies' Garment Workers Union

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Books

Wedlock

By WARD MOORE

Oh, Sorrow slipped into my bed
Some short time ago,
And now I'm wedded strong to her
As tears are wed to woe.

Oh, Sorrow makes a goodly wife
Who warms my bed for me;
She does not nag, nor shrew, nor scold
Nor wish that she were free.

And every night I lie with her
(Her skin is soft as lace).
But sometimes in the dreadful dawn
The mask slips from her face.

And I am wedded fast to her
And she is kind to me,
So Sorrow is my own true wife
And never shall I be free.

First Glance

IT would be absurd to pass upon the accuracy of Jean Jacques Brousson's reporting in "Anatole France Himself: A Boswellian Record" (Lippincott: $5). For there would be the assumption that one knew what kind of man Anatole France was—and therefore could decide how closely his secretary for eight years had come to comprehending him. It is certainly possible, however, to say that M. Brousson himself has produced an interesting book. He shows the Master getting out of bed and choosing which of his hundreds of caps he shall wear this morning; scolding Josephine or being scolded by her; hating to go to work but being driven to it; fretting with his secretary over a lost note to "Joan of Arc"; puddling among his papers; walking out to a book-stall; bantering old ladies and young men; flattering all of his callers with equal unscrupulousness and skill; pausing to indulge in a reminiscence or an epigram; and always, always talking. The stream of talk as M. Brousson directs it is a beautiful, leaping thing. And some of M. Brousson's paraphrases have a genius of their own. It is the secretary who says: "Modesty is only found in the badly made." It is Mr. Brousson, after all, who tells the incomparable story of the Nevers dish. If one tires of anything in the account it is of the adulation—which was perhaps inevitable. The word "Master" is used more than once too often; references to the hero's fame become superfluous before so very long; and his basking in that fame even though he smile a little cynically as he purrs, cannot always be contemplated with the pleasure which M. Brousson finds in it.

The net result of the book is to render Anatole France in something like a unique image. To that extent it convinces, since its subject, being great, was of course unique. Two other modern writers distinguished for their wit have recently been disclosed with something approaching the intimacy of M. Brousson's pages. And how hopelessly they differ! Mark Twain's "Autobiography," dictated from bed or from the front porch, is quite as miscellaneous and quick as this. But it is sentimental, or it is raw, or it is more than sufficiently strong in its passages of denunciation. Anatole France, with his weaker artistic constitution but his infinitely subtler education, finishes off Chateaubriand, Napoleon, or the Academy with just the proper degree of exaggeration. His rage is perfectly translated; one knows that he passed to his grave daintily, with no blood anywhere upon him—and one knows that the American still growls beneath the ground. Or take Archibald Henderson's "Table-Talk of G. B. S." It, too, is a miscellany; it, too, is alive in every line. But Shaw is serious. Imagine him deciding that he had passed his life "twisting dynamite into curl-papers." Imagine him refusing to doubt a saint's legend because it was beautiful. Imagine him tolerating bores in order to laugh at them and finally loving them because laughter is lovable. Imagine him admitting with joy that "Ideas pass; but rhetoric is eternal." Imagine him thinking it worth while to say with a haggard face: "I have never been happy for one day, not for a single hour." If M. Brousson has done nothing else he has demonstrated once and for all that another Anatole France is impossible—and even undesirable. For Anatole France combined lust and irony and laughter as no one else needs to combine them. His distinction is that any more of him would have been—will be—too much.

MARK VAN DOREN

An Autobiographical Libel

Seventy Years of Life and Labor. By Samuel Gompers. E. P. Dutton and Company. 2 volumes. $10.

FOR the good of his own memory it would have been far better if Samuel Gompers had never written these twelve hundred pages. His life touched almost every phase of American society significantly during a significant half century. But he spent his rich experience generously; he was too busy to gather a residue of pensiveness, to save a bit of irony for his old age, to indulge now and then in the small luxury of remission. He lived so eagerly and he labored so strenuously that he had no chance to develop a real philosophy either of life or of labor. He had time for no more than shrewdness, whose increment in the course of a double generation endowed him with uncanny tactical powers, which in the rough and tumble of his life passed for wisdom. He was simple in mind, elemental in his passions, incorruptible, extraordinarily human, and selflessly cunning. But there is one thing he *never* was. He never was *civilized.* The very virtues which made him such an excellent chieftain during the frontier period of American labor were not of the kind which, in old age, ripen into the serenity of opinion, but rather into the bigotry of opinionatedness. He fought a good battle, which convinced him that he fought wisely. It never occurred to him that he fought so effectively because he was blind to defeat, because he had a naive astigmatism to everything but his own self-righteousness, mainly because he was admirably adjusted to the savageries of American capital and the primitiveness of American labor during his era. In the twilight of his life and his epoch his social astigmatism blinded him almost completely. It was then that his Mephisto whispered to him: Let's write an autobiography! He did not even bother to mock old Sam between the lines. He censored the first volume so pitilessly that only here and there the idealism of young Gompers managed to break through. And the second volume the devil wrote all by himself.

On January 13, 1874, when Gompers was twenty-four, he witnessed the "Tompkins Square outrage," when the unemployed

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of New York City were clubbed and dispersed for protesting against an intolerable industrial famine. "His blood surged in indignation at the brutality of the police." But the surge quickly ebbed. "As the fundamentals [*sic*] came to me, they became guideposts for my understanding of the labor movement for years to come." The "fundamentals" pointed the danger of all "entangling alliances" with "intellectuals" and "radicals" who, he erroneously believed, had provoked the demonstration; they pointed to strictly separatist craft unionism, seeking more money, less work, and better jobs. For forty years history seemed to prove his revelation inspired. His long and brilliant struggle for trade unionism founded American labor. But his correlative struggle against the "intellectuals" and the "radicals" deprived our labor movement of intellectual content and bereft it of an indigenous radical development with which to face the changing world. The hierarchy of "union-card" holders, who perform intellectual labor for which they have not the slightest training, is steadily weakening our labor movement in its struggle with the increasing expertness of capital. It edits a half-illiterate, dull, uninformed, and unread trade-union press, whose main function is to defend the intrenched officialdom of labor. This has been the "anti-intellectualist" policy of Gompersism for a long half-century, and it is still true of the broad masses of our English-speaking unions. Half of the autobiography is moved by Gompers's hatred of the "intellectuals" lest they pervert "our movement." And he knew so little about international labor that he never realized that no labor movement anywhere has ever outgrown its infancy without the "intellectuals."

His anti-"radical" mania, which long preceded Bolshevism, so withered American labor that today ours is the only important labor movement without a natural left wing, and this accounts for its crippled flight. Gompers's bigotry against "intellectualism" and "radicalism"—words which he used synonymously—robbed American labor of the spirit of constructive self-criticism and revision.

Gompers's strength lay in his pugnacity, in his capacity for giving and taking punishment; and especially in the intuitive cleverness of the tactics and counter-tactics with which he built the American Federation of Labor. But about his real virtuosity he is most discreet. He mentions coyly the way he maneuvered, decades ago, his friend Strasser into the presidency of the New York Cigarmakers' Local, leaving the reader under the impression that this about covered the extent of his political machinations. Yet he did not need to be ashamed of the way he played the great game of labor. It never was dirty. It never was sinister. It was the essence of his genius. But the Gompers of the later National Civic Federation, who dictated these reminiscences, was too conventional to be proud of the real Gompers, especially of the earlier days.

In the first volume the militant Gompers does break through. In the second volume we get only the militarist Gompers: the Gompers of "Capitol Hill," of the right wing of the National Civic Federation, of the American Legion. The war unbalanced him. From 1915 to 1922 he never spoke but he shrieked. "In August [1915] there occurred the first big strike of munition workers in Bridgeport, Connecticut. . . . I knew that the Germans had found some labor representatives who were not honest [*sic*] and loyal [*sic*]. . . ." He broke the strike.

In August, 1918, Gompers made his pathetic journey to Europe. By that time European labor, in all its wings, had begun to tire of the slaughter for undifferentiable ideals. Gompers's reaction reached a pathological pitch; his ego swelled to fantastic proportions. He bamboozled himself into believing that for the time being he had assumed the leadership of European labor and that he was directing it into Clemenceau channels. He attended the Inter-Allied Labor Conference in Westminster. "When on the third day it was time for me to assume leadership . . . I did so with precision and force. That our work was effective was evident when . . . Arthur Henderson went to John Frey and begged him to intercede with me not to make his humiliation too great." Poor old Gompers! Henderson did speak to Frey, but only because he wanted to save Gompers from his own humiliating claptrap. Labor leaders all over Europe were beginning to laugh at the old man. They did not know the history of American labor, and they marveled that a man of Gompers's naive limitations could be its leader. For the rest of the trip Gompers dined with royalty, generals, and war ministers, and told the continental labor leaders in their own meetings "tersely" that they were "traitors."

After the war, circumstances forced him once more to return to the old struggles against injunctions and open-shop drives. But the mischief of his misunderstanding of the war could not be so easily undone. Within a few short years the A. F. of L. lost more than 1,000,000 members. Still, the fates permitted him to die as a labor leader, in harness, and not as a catspaw for jingoism.

This libelous autobiography is not a fair guide to his seventy years of life and labor. Gompers was full of faults. But in spite of them he did more to lift a considerable portion of the American people to a higher standard and plane of living than the whole social-reform movement, though it swarmed with "finer" characters than he. He had that one most precious quality which they so sadly lacked: he was willing to hit hard and to take the same punishment. He was the most incorruptible figure of his long generation, not merely in the cheap sense that he was unpurchasable (which, after all, is not very much of a virtue) but in that rarest sense that he did not mind the enmity even of those whose good-will he craved, if their enmity was unavoidable by his convictions. He often bargained, but he never trimmed.

BENJAMIN STOLBERG

Reparations

The Reparation Plan. An Interpretation of the Reports of the Expert Committees Appointed by the Reparation Commission, November 30, 1923. By H. G. Moulton, with the Aid of the Council and Staff of the Institute of Economics. McGraw-Hill Book Company. $2.50.

UNTIL 1923 it was the general belief that there could not be a genuine settlement of the reparation problem as long as the Allies demanded payment in gold or in exchanges: practically all difficulties might be overcome if Germany were allowed to pay her reparation debt by deliveries in kind and by sending skilled workers into the devastated regions. Mr. Moulton, director of the Washington Institute of Economics, deserves great credit for having destroyed this fallacy in his well-known book, "Germany's Capacity to Pay." He succeeded, indeed, in convincing the world that the method of reparation payment was unessential and that all reparation payments (in cash, deliveries in kind, manual labor) are impossible as long as Germany has not a corresponding excess of paid exports over imports. This idea has also been unconditionally adopted by the expert committees and constitutes the basis of their proposals and of the London Agreement.

Every student of the reparation problem, therefore, looked forward with the greatest interest to Mr. Moulton's analysis and criticism of the experts' reports. These expectations have in no way been deceived. Mr. Moulton presents with crystal clearness the fundamental ideas of the experts' proposals and thereby of the London Agreement. He emphasizes the progress involved in the so-called Dawes Plan, he recognizes the transfer committee as the most important as well as the most ingenious part of the whole scheme, and he fully approves of the new bank and of the foreign loan suggested; but he mercilessly exposes the weak points in the arguments and conclusions of the experts. Their analysis of the German budget, he shows, is confused and sometimes contradictory. Their discussion of the capacity of the railroads and industries to furnish funds

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for reparation purposes is even less adequate. The various sources of revenue suggested by the committee are occasionally antagonistic, each source having been considered separately without much reference to the effect upon alternative sources of revenue. Mr. Moulton thinks that the committee's real contribution lies in its emphasis upon the necessity (1) of recognizing the interrelation of the currency, the budget, and the international balance of payments; (2) of establishing sound financial and economic conditions in Germany; and (3) of administering the plan as an indivisible unit.

There still remain unsettled some aspects of the reparation problem which, according to Mr. Moulton, must be promptly adjusted if the valuable work of the Expert Committees shall not have been in vain: the total sum to be paid by Germany should be fixed and a date should be stated for terminating the operation of the plan; the value of the amount thus far paid by Germany should be determined (by another committee of experts); the inter-Allied debt problem should be conceived in different terms from heretofore, and definitely settled.

"The Reparation Plan" contains passages which neither Americans nor Frenchmen nor Germans will enjoy. But is it not a good proof of its impartiality that this book not only attracted intense attention in America, but was immediately translated into German and into French?

R. R. KUCZYNSKI

Indicting a Section

The Southern Oligarchy. An Appeal in Behalf of the Silent Masses of Our Country Against the Despotic Rule of the Few. By William H. Skaggs. The Devin-Adair Company. $5.

MR. SKAGGS brings a terrific indictment against his native South. It is ruled by an unenlightened oligarchy; the people are partisan and prejudiced and easily scared by the bugbear of Negro domination; the voters seldom vote; illiteracy makes the people victims of designing demagogues; the South is the land of lynch law, the Ku Klux Klan, and the chain-gang, of hookworm, child labor, and political corruption; it has the most appalling record of crime in the world and "may be called the nursery of crimes in America"; it is economically backward and financially dependent and has a less creditable debt-paying record than Haiti; it even failed in its duty during the World War—in short, it is a menace to the nation.

Now, who is responsible? The oligarchy, or, in other words, the Democratic Party of the South, which because of the failure of reconstruction has been "able to perpetuate its power by misleading the people and appealing to sectional prejudice and racial animosities." For the past forty years it has misruled the South, and at times, notably during the Wilson Administration, it has controlled the nation. And "during the Wilson Administration this provincial oligarchy was a greater menace to democratic institutions than the slave oligarchy was under the Buchanan Administration."

Though much of the book is padding a part of it is valuable, notably the discussions of the dormant ballot, the fee system, the chain-gang, and education, and the comparison of wealth and tax-paying in eleven Southern States and eleven Northern States. Yet every discussion is colored by the author's desire to ascribe social and economic shortcomings to political causes for which the Democrats are responsible. Then, too, he relies too much upon quotations of opinion from other writers and from newspapers which he has not assimilated into a coherent account. In places we have only a scrap-book collection of testimony for the prosecution, with the charge not clearly stated. Though Mr. Skaggs may know of serious defects in Southern life and character, he has not shown them up clearly enough. He is not strong in history, economics, or politics, and is therefore a poor interpreter of conditions which he sees but does not fully understand. He is too anxious to tar and feather the Democratic lawyer-politicians. For example, they were guilty of the "gross and stupendous frauds of the Wilson Administration"; the scalawags were the "antecedents of the leading spoilsmen under the Wilson regime"; the greater the hookworm infection the larger the Democratic vote, and so on.

The author was evidently a part of that about which he writes. His book reflects, it would seem, the state of mind of one whose political views trace back from the Republicanism of today through the "Jeffersonian Democracy" and the Populism of the nineties to the conservative democracy of the eighties, perhaps even to Whig connections. If Mr. Skaggs had written of his own experiences and observations the result must have been more interesting and valuable. In the role of an interpreter he is not successful.

WALTER L. FLEMING

The Case for Self-Sacrifice

The Rector of Wyck. By May Sinclair. The Macmillan Company. $2.50.

IT is impossible to indulge in self-sacrifice without great loss to one's integrity. Such has been the contention in May Sinclair's fiction from the beginning. This book is a departure. John Crawford and his wife, Matty, live a life of Christian self-sacrifice, and they achieve a far greater nobility of character, one feels, than they could have achieved in any other way.

Matty as a young girl hates clergymen. She desires the intellectual life which her sister Susan lives with her clever husband, Philip Atwater. But Matty falls in love with John when he is playing tennis; so she does not know until afterward that he is a man with a high waistcoat and a little round hat. But she marries him and bears the burdens in his parish of Wyck for thirty-one years. And the people love her.

They have two children, Millicent, the daughter, and Derek, the son. Millicent becomes a relentless saver of souls and goes to practice in St. Ursula's Settlement near Limehouse. She has little real human sympathy. She loves the reflection of herself in the mirror of Limehouse. When her father is ill she cannot leave her work in London to come down to Wyck. But when her mother dies she is on deck to pick up garments for the poor. As a matter of course she takes the vicuna shawl that, because of its association with Matty, the rector loves. Millicent is petulant when her father rescues the shawl. With such sentimental weakness she has no sympathy. But her father buys the shawl for £2 and Millicent is appeased.

Derek is weaker. He remains in Wyck and sacrifices himself to his parents. To escape the boredom he takes to drink. On a visit home Millicent discovers his lapses and suggests making a farmer of him. The new occupation is on the way to making a man of Derek when August, 1914, intervenes; the young man returns from Australia, where he has been raising sheep, and the war, with his death, in 1915, makes him a hero.

John Crawford, the clergyman, represents the other side of the coin which we saw in "The Cure of Souls," where the Canon Chamberlain was so clearly portrayed with all the vices which the Rector of Wyck has not and with none of the virtues which he has. At the end of the book old John Crawford is bent in the service of Christ. He is tempted to think unkindly of Millicent's selfishness, but he remembers that she is a noble young woman, who is doing more good in the world than he is because she goes out to save the prostitutes of Limehouse.

As in "The Cure of Souls" we had Miss Lambert in love with the rector, so here we have Miss Minchin, about forty, in love with John Crawford. Everybody knows it, especially Matty. The rector himself knows it, faces it, and diverts the malice of frustrated love into channels less human and more Christian. Under the mild rebuke of the rector Miss Minchin does pretty well. If she fails, as when she takes young Derek home of evenings and feeds him sloe gin, it is not that she wants to fail in her love for the rector; but there is the direct

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appeal of the boy himself, and she in this obsessional way is attacking her natural enemy, the rector's wife.

"The Rector of Wyck" is in the spare tradition of "Harriet Frean" and "Anne Severn and the Fieldings." Some readers may deplore Miss Sinclair's economy; but her economy is a result of the perfecting of her art. For, in few words, and with dialogue, she can put the breath of life into her people. A more elaborate analysis was doubtless needed when Miss Sinclair tried to tell us about Rannie in "The Combined Maze." But we see as deeply into the youth Derek's life in this book as we do into Rannie's life; Derek's maladjustments are made clear in a few short dramatic episodes. Miss Sinclair seems to be growing more and more in the direction of the drama.

ANGUS BURRELL.

Mr. Hardy

Life of Thomas Hardy. By Ernest Brennecke, Jr. Greenberg, Publisher, Inc. $5.

Thomas Hardy's Universe. By Ernest Brennecke, Jr. Small, Maynard and Company. $3.

Life and Art. By Thomas Hardy. Edited by Ernest Brennecke, Jr. Greenberg, Publisher, Inc. $3.50.

FROM these three volumes, two of which deal with the work and the life of Thomas Hardy and one of which is a collection of his papers appearing for the first time in book form, the reader expects a fairly rounded presentation. Particularly in the "Life" would one look for the significant facts and determining influences of Hardy's career. But the volume is disappointingly thin on this score. Ostensibly a biography, it is in reality a companion volume to Mr. Brennecke's earlier book, "Thomas Hardy's Universe," and for the most part it merely fills in the facts surrounding the publication of Hardy's writings. True, a portion of the book yields specific biographical notes, but these are too meager or conceived too fantastically to afford any searching interpretation of the man. Also, the proportions are somewhat mishandled. Mr. Brennecke's attempt to suggest Hardy's spiritual background by an excursus into the geology and prehistory of a certain bit of English soil strikes one as far-fetched. As a suggestion it might have proved illuminating; as an exposition of the temperament of Hardy in terms of a physical background it proves inadequate and tiresome.

In his effort to disengage the underlying philosophic thought which gives form and coherence to Mr. Hardy's universe, Mr. Brennecke seems to err on the side of too great explicitness. Had he observed the caution Mr. Hardy himself suggests for interpreting the doctrines of the cosmic intelligences, as being "but tentative, and advanced with little eye to a systematized philosophy," his presentation might have come nearer to the view he seeks to define. Hardy is first and foremost an artist, and though he be rather singular in that a well-defined view of life informs the entire body of his work, yet to expect the same rounded perfection in him which one may look for in the work of a philosopher is to miss his flavor. Doubtless this makes clear certain disproportions in emphasis in Mr. Brennecke's presentation; though "Thomas Hardy's Universe" as a whole does give a lucid statement of a very important aspect of the novelist's work.

Mr. Brennecke has it that a close connection subsists between Hardy's view of things and Schopenhauer's, and he proceeds to trace the similarity, particularly as it is exemplified in "The Dynasts," the work which voices Hardy's maturest approach. Perhaps at this point, where Mr. Brennecke's concern is to show the kinship of the poet to the philosopher, the rather detailed consideration of Schopenhauer is not amiss. But the constant harking back to him at every new phase becomes somewhat wearisome and not a little irrelevant. A more serious objection is that it breaks the continuity. Mr. Brennecke's theme is *Hardy's* universe, not a comparison with Schopenhauer. Once the relation between the two men is made clear, it becomes supererogatory to preface each heading with a review of Schopenhauer in a similar category. A poet is a poet to the last, and one cannot and one does not expect consistency.

John Middleton Murry's summary statement of Hardy's development, as "passing from rebellion to acceptance," seems to seize its essence better than Mr. Brennecke's painstaking analysis does. In his preoccupation with terminology the latter has missed the subtler thread, which is to confuse the groundwork with the drift of it all. Unquestionably acceptance does somehow emerge, despite reiterated questionings and rebellions and outbursts against the harshness inherent in all life. The strains of a more buoyant outlook but gain an added richness in a symphony where the harsh is so often sounded. Mr. Brennecke's emphasis is so largely on an unconscious purpose that he fails to give sufficient weight to certain compensatory aspects. Not that the former is subordinate; but though in bulk a particular aspect may not loom so large, it may, by very contrast, be granted as great a significance in the total estimate of a man's work. An entering wedge in Hardy's generally deterministic attitude makes for a kindlier order of things. An insistence on the more somber aspect still fails to give the inwardness of the trend. There is a truth which goes deeper than mere factual adherence, and this Mr. Brennecke has somehow missed.

A phrase from the essays, notes, and letters may be more illuminating than the most careful analysis. The trenchant expression of these papers strengthens what one had come to view as the spirit of Thomas Hardy. That mixture in him of clear-eyed vision and tenderness, together with a turn for the humorous which can soften the harshest observable fact, is as apparent in his briefest letter as in his novels and poems. The poem "Epitaph" or the letter on recognition of authors by the state suggests a whole philosophy—by some called "pessimism," though "meliorism" accords more with its drift.

FRANCES DUBLIN

How to Be Happy

How to Be Free and Happy. By Bertrand Russell. The Rand School of Social Science. 75 cents.

THOSE who espouse philosophical idealism have long argued its exclusive theoretical adequacy to the great issues, revealed in its exalted if tenuous ideas of Life, Mind, and God. These champions of faith have fought realism and naturalism very much, after all, on Fichte's ground that such doctrines are a sign of moral worthlessness or of debased or lost ideals. Mr. Russell has been felt by them to be first of all perverse, and this feeling has inspired a sort of veiled warning against his pluralistic logic and his teachings in general.

Mr. Russell here answers his critics. Speaking to a youthful audience under so-called radical auspices, he may be excused for his aggressive hopefulness in the midst of a civilization whose portentously gray, devouring industrialism he has frequently remarked. His lecture is a brief homily from the well-worn New Testament text on the value of idleness, most effectively preached by this superhumanly active genius of thought whose single early book on Leibniz would, in many a scholarly career, shine as a crowning glory. The lecture no doubt stirred and warmed his young hearers. For his older and more timid readers among hostile philosophers it may have another sort of significance, a sad one perhaps, since it furnishes the single damning negative instance which would suffice to refute their universal proposition that only philosophical idealists can quite truly have ideals. It exhibits an uncompromising devotee of scientific method cherishing ideals of the Christian gospels, unconventional personal attachments, indiscreet and open love of fellow-men, and no prudent thought for the morrow, and actually

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preaching these hopelessly impractical precepts to the youth of the land.

But one cannot answer these critics, after all; for they may now take Bertrand Russell as one more example to show that any philosopher, however radical he may be at the start, will in the end, if he is genuinely concerned with thought and with the conduct of men's lives, turn idealist. Doubtless the lecture does remind us how incorrigibly idealistic any radical of long standing must be, but we should be loath to see Mr. Russell's hard-fought battle for clear and honest thinking, no matter whether it involve pluralism or naturalism or atomism or materialism or socialism or radicalism or no ism at all—we should be loath to see this unfettered thinking appropriated by his critics as a phase of idealism itself. Perhaps we need not fear, however; for not even Christian orthodoxy has been able to digest the hardy ideals of the founder it claims, and Mr. Russell, being really a thinker, will no doubt remain a disconcerting rebel until the day when it is discovered that he has become an established philosophical tradition.

D. W. PRALL

Books in Brief

The Best Stories of Sarah Orne Jewett. Selected and Arranged with a Preface by Willa Cather. Houghton Mifflin Company. 2 vols. $4.

Miss Cather's selection of "The Country of the Pointed Firs" and eleven shorter stories should—along with her preface—do much to rehabilitate this modest mistress of New England narrative.

Poems of Thirty Years. By Gordon Bottomley. London: Constable and Company. 21 shillings.

Uniform with Mr. Bottomley's two volumes of poetic dramas, this volume preserves the poet's choice of all the verse which he has published, and entitles him to the claim of being one of the most admirable, if not one of the most exciting, of contemporary English poets.

H. G. Wells. By Ivor Brown. Henry Holt and Company. $1.
Bernard Shaw. By Edward Shanks. Henry Holt and Company. $1.

Rather feeble additions to the interesting British series called "Writers of the Day."

The Nineteenth of April, 1775. By Harold Murdock. Houghton Mifflin Company. $2.

A most agreeable monograph, dealing, apparently, with all the ascertainable facts concerning the first battle of the American Revolution.

Martial. The Twelve Books of Epigrams. Translated by J. A. Pott and F. A. Wright. $5. *Choderlos de Laclos. Dangerous Acquaintances.* Translated by Richard Aldington. $5. *Mme de La Fayette. The Princess of Cleves.* Translated by H. Ashton. $3. *Sir Thomas More. The Utopia.* Translated by Ralph Robinson. *Francis, Lord Bacon. The New Atlantis.* The whole edited by H. Goitein. $3. *Buddhist Birth-Stories.* Translated by T. W. Rhys Davids. $3. E. P. Dutton and Company.

Five new volumes in the infinitely varied series of Broadway Translations.

Fish and Actors. By Graham Sutton. Brentano's. $2.

The business of carrying dramatic entertainment to the people has evolved beyond the barnstorming era in most corners of the earth, but not in rural Ireland. There a childlike public, unspoiled by movies or by little theaters subsidized by the socially aspiring, awaits the coming of troupes whose repertories are as diverse as their finances are wabbly. Mr. Sutton has set down the history of their hardships and misadventures in a series of amusing stories, in which types have been closely observed and sympathetically interpreted. He evidently knows the "fit-up" actor, as he is called, offstage and on, and his pen has caught him at many angles.

Early Tudor Composers. By William H. Grattan Flood. Oxford University Press. $1.20.

Brief lives of thirty-two English composers between 1485 and 1555—the great period which is now at last receiving the attention it merits from scholars in music.

Figures of the Passion of Our Lord. By Gabriel Miró. Translated from the Spanish *Figuras de la Passión del Señor*, by C. J. Hogarth. Alfred A. Knopf. $3.50.

Miró occupies in Spanish literature a position somewhere between Azorín and Valle Inclán; which is as much as to say that he is a decadent Spaniard (the term is almost self-contradictory) with a flair for the nostalgic grayness of pictorial beauty, softly colored by the half-tones of dying day. His Figures, beautifully translated by Mr. Hogarth, are not characteristic of his work. They are a strange mixture of a remarkable erudition and a decadent aestheticism, whence emerges the picture of a Jesus very different from the Christ of the Christian legend, or the Son of God of the theologians. Miró succeeds quite well in reconstructing—for all the extraneous trappings of mood and color with which he loads his prose—the personality of that Essene prophet, contemporary of Herod and Pontius Pilatus, who possessed the faith of a mystic, the candor of a child, and the love of a man who could suffer intensely the pains of those among whom he moved. Printed in Caslon Old Face, and exquisitely bound, the book itself is a work of art to be treasured independently of its contents.

The Story of Illinois. By Theodore Calvin Pease. Chicago: A. C. McClurg. $2.50.

Of all the States Illinois is best supplied with a competent history. The five-volume "Centennial History" of a few years back was written by competent scholars and illustrates the value of State history as a part of the national story. The second volume of that work was written by Mr. Pease. His new book is a model of organization under such chapter titles as The French Regime, The Days of the Briton, The Struggle for the Northwest, and Economic and Social Readjustment. The displacement of the French settlers, the defeat of the British ambitions, and the triumph of the persistent American frontier policy constitute a dramatic and impressive narrative. No less interesting is the story of political, social, and economic advance since the admission of the State in 1818. Mr. Pease concludes with a succinct account of agriculture, good roads, foreign elements in the population, educational institutions, libraries, and Illinois poets. The book is more readable than the usual one-volume work of its kind.

THEATER

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International Relations Section

China and the Washington Conference

IN the present disturbances in China reference is constantly made to the so-called "Ten Points" presented in behalf of China at the Washington Conference on the Limitation of Armaments in 1921, and to the agreements subsequently adopted by the Powers. The "Ten Points," presented by Mr. V. K. Wellington Koo at the first session of the Committee on Pacific and Far Eastern Questions on November 16, 1921, were as follows:

THE TEN POINTS

The Chinese Government proposes for the consideration of and adoption by the conference the following general principles to be applied in the determination of the questions relating to China:

1. (a) The Powers engage to respect and observe the territorial integrity and political and administrative independence of the Chinese Republic.

(b) China upon her part is prepared to give an undertaking not to alienate or lease any portion of her territory or littoral to any Power.

2. China, being in full accord with the principle of the so-called open door or equal opportunity for the commerce and industry of all nations having treaty relations with China, is prepared to accept and apply it in all parts of the Chinese Republic without exception.

3. With a view to strengthening mutual confidence and maintaining peace in the Pacific and Far East, the Powers agree not to conclude between themselves any treaty or agreement directly affecting China or the general peace in these regions without previously notifying China and giving to her an opportunity to participate.

4. All special rights, privileges, immunities, or commitments, whatever their character or contractual basis, claimed by any of the Powers in or relating to China, are to be declared, and all such or future claims not so made known are to be deemed null and void. The rights, privileges, immunities and commitments, now known or to be declared, are to be examined with a view to determining their scope and validity and, if valid, to harmonizing them with one another and with the principles declared by this conference.

5. Immediately or as soon as circumstances will permit, existing limitations upon China's political, jurisdictional, and administrative freedom of action are to be removed.

6. Reasonable, definite terms of duration are to be attached to China's present commitments which are without time limits.

7. In the interpretation of instruments granting special rights or privileges, the well-established principle of construction that such grants shall be strictly construed in favor of the grantors is to be observed.

8. China's rights as a neutral are to be fully respected in future wars to which she is not a party.

9. Provision is to be made for the peaceful settlement of international disputes in the Pacific and the Far East.

10. Provision is to be made for future conferences to be held from time to time for the discussion of international questions relative to the Pacific and the Far East, as a basis for the determination of common policies of the signatory Powers in relation thereto.

Two days later Mr. Koo, in explaining the Chinese request for tariff autonomy (regarded as part of the fifth "point"), gave a summary of Chinese tariff history, reported as follows in the official minutes of the conference:

CHINA'S TARIFF HISTORY

Prior to the year 1842 China had enjoyed the full right of fixing her customs duties. But in that year [following the so-called Opium War] and in the subsequent years she had made treaties with Great Britain, France, and the United States in which, for the first time, a limitation was imposed on this full right. The rule of 5 per cent ad valorem was thereby established, and later a schedule was fixed upon the basis of the current prices then prevailing. In the years preceding 1858 prices began to drop, and the 5 per cent customs duty collected appeared consequently to be in excess of the 5 per cent prescribed. A revision was therefore asked for by the Treaty Powers and was effected in 1858. From that time until 1902, however, as prices mounted and the Chinese Government had been receiving less than the 5 per cent rate, no request was made on the part of the Treaty Powers for a revision. If the Chinese Government did not at that time press for a revision, it was only because the needs of the Government were then comparatively few and the revenues collected, small as they were, were not inadequate to meet the requirements.

It was only in 1902, as a result of the Boxer uprising, that another revision was made with a view to raising sufficient revenue to meet the newly imposed obligations arising out of the Protocol of 1901. In that tariff, however, the rates were calculated on the basis of the average prices of 1897-1899, the then prevailing prices not being taken into account. But the revenue collected according to this increased tariff was hardly sufficient to meet the obligations of the indemnity. In 1912 another attempt was made to revise the tariff in order to bring it more in accord with actual prices. It proved to be a failure, as the unanimous consent of some sixteen or seventeen Powers was not obtained. It was only after six years of protracted negotiation that another revision was effected in 1918. The purpose of this revision was to increase the rate to an effective 5 per cent, but the resulting tariff, which was now in force, yielded only 3½ per cent in comparison with the prices of commodities actually prevailing.

Mr. Koo asked on behalf of the Chinese Delegation for the recovery by China of the right to tariff autonomy. He said that, in the first place, the existing regime in China constituted an infringement of the Chinese sovereign right to fix the tariff rate at her own discretion—a right enjoyed by the states throughout the world.

Again, it deprived China of her power to make reciprocity arrangements with the Powers and ran counter to the principle of equality and mutuality. While foreign goods imported into China had to pay only 5 per cent as import tax, goods of Chinese origin imported into foreign countries had to pay customs duties of maximum rate. For instance, Chinese tea imported into the United Kingdom had to pay 1 shilling per pound, which meant 25 per cent, as the price there was about 4 shillings per pound; Chinese tobacco on importation into Japan had to pay 350 per cent; raw silk into Japan, 30 per cent; and manufactured silk into the United States, 35 to 60 per cent. Such a regime constituted a serious impediment to the Chinese export trade and to China's economic development.

Moreover, a uniform rate for all kinds of commodities, without latitude to differentiate rates between luxuries and necessaries, had obvious disadvantages. For example, it was evident that machinery and similar merchandise so much needed by China ought to pay a low rate, while, on the other hand, luxuries, such as cigars and cigarettes, should be more heavily taxed, as much for mitigating or preventing the injurious effects on the morals and social habits of the people from the use of these luxuries as for raising more revenue. The Chinese tariff was therefore not a scientific one, as it failed to take into consideration the economic and social, as well as the fiscal, needs of the Chinese people.

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Continuing, Mr. Koo said that the present tariff caused a serious loss of revenue to the Chinese exchequer. Customs duties formed one of the most important sources of revenue of a country. Great Britain, for example, received 12 per cent out of her total revenue; France, 15 per cent; United States, 35 per cent. [This was the pre-war figure. It is less today.] The Chinese customs revenue, on the other hand, played, for nearly one hundred years, a comparatively insignificant part in the national revenue. Besides, a large part of China's customs revenue was pledged to meet various foreign loans secured thereon, and this fact again reduced the amount available for the needs of the Government.

Furthermore, under the existing customs regime it was exceedingly difficult to revise the tariff, even for the modest purpose of raising it to an effective 5 per cent. The revision of 1902 was the first revision in forty-four years, and the resulting tariff yielded only 2½ per cent in comparison with the market value of the imports, i. e., 2½ per cent less than what could have been collected if the tariff schedule had been revised to date. The revision of 1918, as was pointed out, was effected only after six years of negotiation, and being based on the average prices of 1912-1916, the new tariff of 1918 was yielding only 3½ per cent. But even an effective 5 per cent import tariff, which would probably produce an additional revenue of nearly 15,000,000 taels, might, however, still prove inadequate to meet the manifold needs of the Chinese Government, such as those for education, road building, sanitation, and public welfare.

In view of the foregoing reasons, Mr. Koo asked the Powers to agree to the restoration to China of her tariff autonomy.

The discussions of the Chinese question consumed far more of the time of the Washington Conference than did the provisions regarding limitation of armament; in the end two treaties and several resolutions, calling for subsequent action, were adopted. These the French Chamber has just belatedly ratified, but no action has been taken in the intervening three years and a half.

The first treaty adopted is a statement of principles.

The Nine-Power Treaty of Principles

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal:

Desiring to adopt a policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other Powers upon the basis of equality of opportunity; . . . have agreed as follows:

Article I. The contracting Powers, other than China, agree:

1. To respect the sovereignty, the independence, and the territorial and administrative integrity of China;

2. To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;

3. To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

4. To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly states, and from countenancing action inimical to the security of such states.

Art. II. The contracting Powers agree not to enter into any treaty, agreement, arrangement, or understanding, either with one another, or, individually or collectively, with any Power or Powers, which would infringe or impair the principles stated in Article I.

Art. III. With a view to applying more effectually the principles of the open door or equality of opportunity in China for the trade and industry of all nations, the contracting Powers, other than China, agree that they will not seek, nor support their respective nationals in seeking—

(a) any arrangement which might purport to establish in favor of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China;

(b) any such monopoly or preference as would deprive the nationals of any other Power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government, or with any local authority, in any category of public enterprise, or which by reason of its scope, duration, or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity.

It is understood that the foregoing stipulations of this article are not to be so construed as to prohibit the acquisition of such properties or rights as may be necessary to the conduct of a particular commercial, industrial, or financial undertaking or to the encouragement of invention and research.

China undertakes to be guided by the principles stated in the foregoing stipulations of this article in dealing with applications for economic rights and privileges from governments and nationals of all foreign countries, whether parties to the present treaty or not.

Art. IV. The contracting Powers agree not to support any agreements by their respective nationals with each other designed to create spheres of influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

Art. V. China agrees that, throughout the whole of the railways in China, she will not exercise or permit unfair discrimination of any kind. In particular there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country from which or to which they are consigned, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese railways.

The contracting Powers, other than China, assume a corresponding obligation in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise.

Art. VI. The contracting Powers, other than China, agree fully to respect China's rights as a neutral in time of war to which China is not a party; and China declares that when she is a neutral she will observe the obligations of neutrality.

Art. VII. The contracting Powers agree that, whenever a situation arises which in the opinion of any one of them involves the application of the stipulations of the present treaty, and renders desirable discussion of such application, there shall be full and frank communication between the contracting Powers concerned.

Art. VIII. Powers not signatory to the present treaty, which have governments recognized by the signatory Powers and which have treaty relations with China, shall be invited to adhere to the present treaty. To this end the Government of the United States will make the necessary communications to non-signatory Powers and will inform the contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

Art. IX. The present treaty shall be ratified by the contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other contracting Powers a certified copy of the procès-verbal of the deposit of ratifications. . . .

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The second treaty dealt with the question of China's tariff, as follows:

THE NINE-POWER CUSTOMS TREATY

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal have agreed as follows:

ARTICLE I. The representatives of the contracting Powers having adopted, on the fourth day of February, 1922, in the City of Washington, a resolution, which is appended as an annex to this article, with respect to the revision of Chinese customs duties, for the purpose of making such duties equivalent to an effective 5 per centum ad valorem, in accordance with existing treaties concluded by China with other nations, the contracting Powers hereby confirm the said resolution and undertake to accept the tariff rates fixed as a result of such revision. The said tariff rates shall become effective as soon as possible but not earlier than two months after publication thereof.

Annex: With a view to providing additional revenue to meet the needs of the Chinese Government, the Powers represented at this Conference, namely, the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal, agree:

That the customs schedule of duties on imports into China adopted by the Tariff Revision Commission at Shanghai on December 19, 1918, shall forthwith be revised so that the rates of duty shall be equivalent to 5 per cent effective, as provided for in the several commercial treaties to which China is a party.

A Revision Commission shall meet at Shanghai, at the earliest practicable date, to effect this revision forthwith and on the general lines of the last revision.

This commission shall be composed of representatives of the Powers above named and of representatives of any additional Powers having governments at present recognized by the Powers represented at this conference and who have treaties with China providing for a tariff on imports and exports not to exceed 5 per cent ad valorem and who desire to participate therein.

The revision shall proceed as rapidly as possible with a view to its completion within four months from the date of the adoption of this resolution by the conference on the Limitation of Armament and Pacific and Far Eastern Questions.

The revised tariff shall become effective as soon as possible, but not earlier than two months after its publication by the Revision Commission.

The Government of the United States, as convener of the present conference, is requested forthwith to communicate the terms of this resolution to the governments of Powers not represented at this conference, but who participated in the revision of 1918, aforesaid.

ART. II. Immediate steps shall be taken, through a special conference, to prepare the way for the speedy abolition of likin and for the fulfilment of the other conditions laid down in Article VIII of the Treaty of September 5, 1902, between Great Britain and China; in Articles IV and V of the Treaty of October 8, 1903, between the United States and China, and in Article I of the Supplementary Treaty of October 8, 1903, between Japan and China, with a view to levying the surtaxes provided for in those articles.

The special conference shall be composed of representatives of the signatory Powers, and of such other Powers as may desire to participate and may adhere to the present treaty, in accordance with the provisions of Article VIII, in sufficient time to allow their representatives to take part. It shall meet in China within three months after the coming into force of the present treaty, on a day and at a place to be designated by the Chinese Government.

ART. III. The special conference provided for in Article II shall consider the interim provisions to be applied prior to the abolition of likin and the fulfilment of the other conditions laid down in the articles of the treaties mentioned in Article II; and it shall authorize the levying of a surtax on dutiable imports as from such date, for such purposes, and subject to such conditions as it may determine.

The surtax shall be at a uniform rate of 2½ per centum ad valorem, provided, that in case of certain articles of luxury which, in the opinion of the special conference, can bear a greater increase without unduly impeding trade, the total surtax may be increased but may not exceed 5 per centum ad valorem.

ART. IV. Following the immediate revision of the customs schedule of duties on imports into China mentioned in Article I, there shall be a further revision thereof to take effect at the expiration of four years following the completion of the aforesaid immediate revision, in order to insure that the customs duties shall correspond to the ad valorem rates fixed by the special conference provided for in Article II.

Following this further revision there shall be, for the same purpose, periodical revisions of the customs schedule of duties on imports into China every seven years, in lieu of the decennial revision authorized by existing treaties with China.

In order to prevent delay, any revision made in pursuance of this article shall be effected in accordance with rules to be prescribed by the special conference provided for in Article II.

ART. V. In all matters relating to customs duties there shall be effective equality of treatment and of opportunity for all the contracting Powers.

ART. VI. The principle of uniformity in the rates of customs duties levied at all the land and maritime frontiers of China is hereby recognized. The special conference provided for in Article II shall make arrangements to give practical effect to this principle; and it is authorized to make equitable adjustments in those cases in which a customs privilege to be abolished was granted in return for some local economic advantage.

In the meantime, any increase in the rates of customs duties resulting from tariff revision, or any surtax hereafter imposed in pursuance of the present treaty, shall be levied at a uniform rate ad valorem at all land and maritime frontiers of China.

ART. VII. The charge for transit passes shall be at the rate of 2½ per centum ad valorem until the arrangements provided for by Article II come into force.

ART. VIII. Powers not signatory to the present treaty whose governments are at present recognized by the signatory Powers, and whose present treaties with China provide for a tariff on imports and exports not to exceed 5 per centum ad valorem, shall be invited to adhere to the present treaty.

The Government of the United States undertakes to make the necessary communications for this purpose and to inform the governments of the contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

ART. IX. The provisions of the present treaty shall override all stipulations of treaties between China and the respective contracting Powers which are inconsistent therewith, other than stipulations according most favored nation treatment.

ART. X. The present treaty shall be ratified by the contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

Resolutions were adopted to create a Board of Reference for Far Eastern Questions, looking to withdrawal of foreign armed forces in China, regarding radio stations, and railway matters. The most important resolutions in the present situation are that urging China to reduce her

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military forces and that dealing with the question of extraterritoriality.

THE EXTRATERRITORIALITY RESOLUTION

The representatives of the Powers hereinafter named, participating in the discussion of Pacific and Far Eastern questions in the Conference on the Limitation of Armament, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, the Netherlands, and Portugal:

Having taken note of the fact that in the treaty between Great Britain and China dated September 5, 1902, in the treaty between the United States of America and China dated October 8, 1903, and in the treaty between Japan and China dated October 8, 1903, these several Powers have agreed to give every assistance toward the attainment by the Chinese Government of its expressed desire to reform its judicial system and to bring it into accord with that of Western nations, and have declared that they are also "prepared to relinquish extraterritorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations warrant" them in so doing;

Being sympathetically disposed toward furthering in this regard the aspiration to which the Chinese Delegation gave expression on November 16, 1921, to the effect that "immediately or as soon as circumstances will permit, existing limitations upon China's political, jurisdictional and administrative freedom of action are to be removed";

Considering that any determination in regard to such action as might be appropriate to this end must depend upon the ascertainment and appreciation of complicated states of fact in regard to the laws and the judicial system and the methods of judicial administration of China, which this conference is not in a position to determine;

Have resolved

That the governments of the Powers above named shall establish a commission (to which each of such governments shall appoint one member) to inquire into the present practice of extraterritorial jurisdiction in China, and into the laws and the judicial system and the methods of judicial administration of China, with a view to reporting to the governments of the several Powers above named their findings of fact in regard to these matters, and their recommendations as to such means as they may find suitable to improve the existing conditions of the administration of justice in China, and to assist and further the efforts of the Chinese Government to effect such legislation and judicial reforms as would warrant the several Powers in relinquishing, either progressively or otherwise, their respective rights of extraterritoriality;

That the commission herein contemplated shall be constituted within three months after the adjournment of the conference in accordance with detailed arrangements to be hereafter agreed upon by the governments of the Powers above named, and shall be instructed to submit its report and recommendations within one year after the first meeting of the commission;

That each of the Powers above named shall be deemed free to accept or to reject all or any portion of the recommendations of the commission herein contemplated, but that in no case shall any of the said Powers make its acceptance of all or any portion of such recommendations either directly or indirectly dependent on the granting by China of any special concession, favor, benefit, or immunity, whether political or economic.

ADDITIONAL RESOLUTION

That the non-signatory Powers, having by treaty extraterritorial rights in China, may accede to the Resolution affecting extraterritoriality and the administration of justice in China by depositing within three months after the adjournment of the conference a written notice of accession with the Government of the United States for communication by it to each of the signatory Powers.

The Chinese Student Revolt

WHETHER the killing of unarmed Chinese students by the Shanghai foreign police was justified or not can best be judged by the testimony of witnesses and the widespread protests of foreign and Chinese groups. We reprint below a series of documents which give official and unofficial viewpoints. The following protest sent by the Chinese Minister of Foreign Affairs to the senior Minister of the Powers is reprinted from the *China Press* of June 6:

A GOVERNMENT PROTEST

Concerning the bloody affair in Shanghai I had the honor to address Your Excellency on June 1 a note in which I begged you to give urgent and necessary instructions to the Consular authorities in Shanghai immediately to free the persons arrested and to act in concert with the Special Commissioner of Foreign Affairs there to hinder eventual return of similar cases.

Contrary to my expectation new reports of an inauspicious character continue to reach me according to which the police of the International Settlement on June 1 again fired on people, killing three and wounding eighteen, while the persons arrested have not all been freed. Other reports state that most of the victims were shot in the back without any agents of the police having been killed or wounded, which proves that the shooting was quite unjustified.

The violent attitude of the authorities of the International Concession has excited discontent among the general public which has created very grave consequences, notably declaration of strikes by merchants and workers in Shanghai.

From respect of the elementary principles of humanity, as the authorities of the International Concession are entirely responsible, I am forced to address again to Your Excellency the most energetic protests. Moreover, I beg Your Excellency to communicate without delay the most urgent instructions to the Consular authorities in Shanghai to order cessation immediately of the practice of firing in order to avoid further effusion of blood.

Translations of handbills distributed in Wuchang have been sent to *The Nation* by Harry F. Ward. The Chinese Kuomintang Party is the Nationalist Party founded by Sun Yat-sen; it has branches in other parts of the world wherever Chinese live. Circulars similar to the one printed below were distributed by the Student Union of Wuhan Center and the League of Communist Youth.

A WUCHANG CIRCULAR

A Circular to Inform All Our Fellow-Citizens About the Matter of Shanghai Foreigners of Different Nations Shooting and Capturing Freely Chinese Students and Laborers.

Urgent! Disaster is at hand!

Foreigners of different nations have joined together to encroach upon us and to massacre us! Students in Shanghai went to the International Concession to lecture because the Japanese ruthlessly killed a Chinese laborer and because the British and French people tried to enforce the cruel press law and the cruel increased wharf-duty. The foreigners refused to reason and fired at the students and killed 9 of them, wounded over 40, and captured 46. After that they called the foreign marines in order to demonstrate their power. Fellow-citizens, how ruthless, cruel, and barbarous an action this was! They are treating us Chinese worse than slaves, cattle, or insects. This is a heart-breaking affair!

The whole port of Shanghai is now on strike. All the shops have closed, all the laborers have stopped work, and all the schools have suspended classes in order to resist this barbarous action of the foreigners. Fellow-citizens in different professions, how do you feel about it? The foreigners of different nations have joined to oppress us Chinese. Is it possible

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for us to sit down and look at it indifferently? You must not say, that this is a matter in Shanghai, far remote from us. Shanghai is only the first to suffer. If we do not arise quickly and resist, the disaster will come to us and perhaps in a way more cruel than in Shanghai. Fellow-citizens in different professions, quickly arise!

Merchants, strike in the markets.
Laborers, strike in the factories.
Students, strike in the schools.
Resist the foreigners in unison.
Boycott the foreign goods.
Blockade the concessions.
Sever all relationship (with the foreigners).
Those who are serving the foreigners must stop work at once and sever relations with them.
Compel the foreigners to recognize all the demands of the citizens of Shanghai.
Take back the foreign concessions and the custom house and abolish the consular court and all the unequal treaties.
Oppose foreigners establishing factories in China.
Organize the crowd and call a Citizens' Assembly.
Arm the people of the nation and overthrow all imperialism.
Long live the citizens of China who are being oppressed.
Long live the Chinese race.

THE CHINESE KUOMINTANG PARTY,
Headquarters of the Second Section of the City of Wuchang, Hupeh Province

June 2

Foreign Protests

Many foreign groups issued protests against the Shanghai killing of Chinese students. Among these were the faculty of Yenching College, Peking, the Christian Schools in Peking, Y. M. C. A. and the Y. W. C. A., and the American Board of Peking. We reprint the protest of the Y. M. C. A., issued on June 4, which with the others appeared in a special supplement of the Peking *Leader:*

THE Y. M. C. A. PROTEST

As Chinese and foreign members of the secretarial staff of the Peking Y. M. C. A., an organization which includes in its aims the promotion of international good-will and understanding, we desire to express our deep concern and regret over recent events in Shanghai in which a number of students were killed and others wounded by police of the International Settlement. As far as our knowledge goes this is the first time in the history of foreign and Chinese relations where unarmed Chinese students have been shot down by police acting under foreign orders. From information not available, we see little evidence for concluding that the circumstances were such as to justify such extreme measures. While not necessarily approving of all the specific steps which the students are taking we do find ourselves in sympathy with their fundamental purpose to focus public attention on this question. We believe that if a wrong has been done every effort should be made to see that it is righted in so far as is now possible.

The first important step would seem to be to have a thorough investigation made of the whole affair. It would seem appropriate that such an investigation be carried out by a commission composed of persons who would inspire public confidence, jointly appointed by the Chinese Government and the foreign nations involved. We hope that early action may be taken to create such a commission, which shall have full power to carry on its work and make public its findings, together with recommendations for settlement.

Moreover, we would raise the question whether the time is not at hand when careful consideration should be given to the causes for the growing tension which we believe we sense in Chinese and foreign relations at the present time. We are the more concerned about the happening in Shanghai, as we believe it to be but an outward expression of a serious underlying condition of unrest and distrust. While we have no desire to make hasty proposals for the betterment of the existing situation, our interest in Christian brotherhood and international good-will prompts us to inquire whether certain treaties conferring special privileges upon foreigners and which are a constant source of embarrassment and humiliation to the Chinese people do not stand in need of revision in view of the march of events in China as well as in view of an emerging world conscience which is demanding that justice and fair play be substituted for the use of force in international affairs.

Statements made at the trial throw light upon the contention that the students were attacking; most of them, it appears, were shot in the back. The following excerpts are taken from the *China Press* [Shanghai] of June 11:

THE TRIAL

Evidence was taken during the morning from Chief Inspector Reeves and Sub-Inspector Everson.

Mr. A. Covey, a Shanghai lawyer, was called to give an eyewitness account of the shooting. He stated that he had not seen any acts of violence on the part of the students. He declared that the acts of the crowd were not typical of a mob.

Dr. W. S. New, in charge of Chinese Red Cross hospitals, declared he had examined six of the victims, and that four of them had been shot in the back.

In answer to questions of Dr. Mei, Inspector Everson said the attack on the police station could have been dispersed with a rear or flank attack from the police up to about 3:30 p. m., but after that force by arms was the only thing that would have quelled the riot. He stated that it had never occurred to him to get out the hose, but it would have been impossible when the attack came, as there was insufficient time.

The inspector further commented that if the crowd had been allowed to get among the carbines of the firing squad the police would have been at their mercy.

Magistrate Kwan at this point asked whether it would not have been possible to fire at the legs of the crowd. The inspector answered that this was against all orders. "I have instructions not to fire except as a last resort, but when firing, to shoot to kill."

He explained that it was against instructions to fire over the heads of the crowd, as this endangers the lives of innocent persons. The same applies to firing at their legs, as the bullets are apt to ricochet.

Mr. Sidney R. Anderson, assistant pastor of the Moore Memorial, gave his version of the affair from 2:40 p. m., when he went to the Wing On store and saw police arrest two students.

He said there was no resistance on the part of the 200 students.

> There were a few banners and the crowd was shouting and cheering and seemed to be led by a cheer-leader. They were doing nothing but blocking the traffic.
>
> The main crowd had no intelligible purpose there. The leaders seemed to be trying to express sympathy for those students who were locked up, but were exercising no violence.
>
> When the crowd began to gather, completely blocking traffic just before the shots were fired, the whole mass was pushing forward slowly, but there was no rush.
>
> After the shots were fired, it was only about one-half minute until the whole street was cleared.

Questioned as to whether he thought the state of mind of the crowd was such as to take the station by force, the missionary said:

> I certainly would have thought not. I saw no violence on the part of the students and would say that the police

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were absolutely unjustified in firing. I think that the crowd could have been scattered easily had a fire hose been applied.

During the whole time that I was among the mob I never heard the expression "Down with the foreigners," nor did I see any weapons among the crowd. I think that the students went to the station purely out of sympathy for their fellow-students.

Mr. Arthur Covey told of going down Nanking Road just as the shots were fired. He said that he never saw a weapon among the crowd and that the temper of the whole gathering was not one of mob violence. He said that as a whole they seemed cheerful and appeared to be watching the students.

Questioned by Dr. Mei he stated that he had seen a number of fighting mobs in action, but never had seen one that acted as quietly as did the one on Nanking Road on May 30.

Dr. W. S. New stated that following the incident four men had been admitted to the Tientsin Road Red Cross Hospital. Two of these, he said, had been shot in the back and he was unable to say whether or not the other two had been shot in the back, as they had only slight skin wounds.

Two others were admitted to the hospital June 1 and in both cases the bullets had entered from the back, he declared.

In expressing his sentiments regarding the affair, Dr. John W. Cline, former head of Soochow University, said: "I was not expecting to see the police fire, was shocked when they did fire, and have been sorry about it ever since."

He said that he was at the entrance to Louza police station when the volleys were fired, but for a moment could not believe that the police had not fired blank shells until the crowd melted away and he found himself in the midst of the dead and wounded.

He said he had not seen any actual acts of violence on the part of either the police or students previously to the shooting, but had concluded from their actions that they were not having a picnic.

There were no weapons used by the students, he said, and he had heard no cries of "Kill the foreigners". . . .

Contributors to This Issue

HARRY F. WARD, of Union Theological Seminary and the Methodist Federation for Social Service, has been lecturing in China for several months.

ROLLIN LYNDE HARTT, author of a study of Jesus called "The Man Himself," recently made an extended tour for the *World's Work* in which he visited the strongholds of fundamentalism.

HARVEY FERGUSSON was born in New Mexico. He was for some years a newspaperman in Washington, D. C., and has written three novels.

FRED L. HOLMES is managing editor of *La Follette's Magazine*.

JOSEPH WOOD KRUTCH, *The Nation's* dramatic critic, is a native of Knoxville, Tennessee.

BENJAMIN STOLBERG has recently returned from Illinois, where he lectured on labor conditions to the United Mine Workers.

R. R. KUCZYNSKI has written many books on economic and statistical subjects, and is now director of the German-French Economic Correspondence organization.

WALTER L. FLEMING is professor of history at Vanderbilt University, Nashville, Tennessee.

FRANCES DUBLIN has made a study of Thomas Hardy.

ANGUS BURRELL is a lecturer in English at Columbia University.

D. W. PRALL is a member of the philosophy department at the University of California.

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H. L. Mencken on The Nation

(Reprinted from the Baltimore *Evening Sun* for July 6, 1925. Copyright the *Evening Sun*.)

WHAT the circulation of The Nation is I don't know. In the sixtieth anniversary number, issued last week, the present editor hinted that it is considerably above the maximum of 11,000 scored by his earliest predecessors. I have heard gabble in the saloons frequented by New York publishers that it runs to 30,000, 40,000, even 50,000. But no one, so far as I know, has ever suggested that it equals the circulation of even a third-rate daily paper. Such dull, preposterous sheets as the New York Telegram, the Washington Star, the Philadelphia Public Ledger and the Atlanta Constitution sell two or three times as many copies. Such magazines for the herd as True Stories, Liberty, Hot Dog and the Saturday Evening Post sell fifty times as many.

Nevertheless, if I were a fellow of public spirit and eager to poison the Republic with my sagacity, I'd rather be editor of The Nation than editor of any of the other journals that I have mentioned—nay, I'd rather be editor of The Nation than editor of all of them together, with every other newspaper and magazine in America, save perhaps four or five, thrown in. For The Nation is unique in American journalism for one thing: it is read by its enemies. They may damn it, they may have it barred from libraries, they may even—as they did during the war—try to have it put down by the police, but all the while they read it. That is, the more intelligent of them—the least hopeless minority of them. It is to such minorities that The Nation addresses itself, on both sides of the fence. It has penetrated to the capital fact that they alone count—that the ideas sneaked into them today will begin to sweat out of the herd day after tomorrow.

Is the Creel Press Bureau theory of the war abandoned? Is it impossible to find an educated man today who is not ashamed that he succumbed to the Wilson buncombe? Then thank The Nation for that deliverance, for when it tackled Wilson it tackled him alone. Is Coolidge headed for a grand debacle? Is the Golden Age beginning to be sicklied o'er with a pale cast of green? Then prepare to thank The Nation again, for it began to tell the harsh, cold truth about good Cal at a time when all the daily journals of America, with not ten exceptions, were competing for the honor of shining his shoes.

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I OFTEN wonder that the great success of The Nation under Villard has made such little impression upon American journalists—that they are so deaf to the lessons that it roars into their ears. They all read it—that is, all who read anything at all. It prints news every week that they can't find in their own papers—sometimes news of the very first importance. It comments upon that news in a well-informed and sensible fashion. It presents all the new ideas that rage in the world, always promptly and often pungently. To an editorial writer The Nation is indispensable. Either he reads it, or he is an idiot.

Yet its example is very seldom followed—that is, forthrightly and heartily. Editorial writers all over the land steal ideas from it daily; it supplies, indeed, all the ideas that most of them ever have. It lifts them an inch, two inches, three inches, above the sedimentary stratum of Rotarians and ice-wagon drivers; they are conscious of its pull even when they resist. Yet very few of them seem to make the inevitable deduction that the kind of journalism it practices is better and more

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